

By: Hupp

H.B. No. 878

A BILL TO BE ENTITLED

AN ACT

relating to the application of criminal trespass laws to persons licensed to carry a concealed handgun.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 30.05, Penal Code, is amended by adding Subsection (f) to read as follows:

(f) It is an exception to the application of this section that:

(1) the property or land on which the person entered was owned or leased by a governmental entity and was not property or land described by Section 46.03 or 46.035;

(2) the basis on which entry on the property or land was forbidden is that entry with a handgun was forbidden; and

(3) the person was carrying a concealed handgun and a license issued under Subchapter H, Chapter 411, Government Code, to carry a concealed handgun of the same category the person was carrying.

SECTION 2. Section 30.06, Penal Code, is amended by adding Subsection (e) to read as follows:

(e) It is an exception to the application of this section that the property on which the license holder carries a handgun is owned or leased by a governmental entity and is not property described by Section 46.03 or 46.035.

SECTION 3. (a) This Act takes effect September 1, 2003.

1           (b) The change in law made by this Act applies only to an  
2 offense committed on or after September 1, 2003. An offense  
3 committed before September 1, 2003, is covered by the law in effect  
4 when the offense was committed, and the former law is continued in  
5 effect for that purpose. For purposes of this subsection, an  
6 offense was committed before September 1, 2003, if any element of  
7 the offense was committed before that date.