

AN ACT

relating to the carrying of certain weapons by a person who holds a security officer commission issued by the Texas Commission on Private Security.

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

SECTION 1. Section 46.05, Penal Code, is amended by adding Subsection (f) to read as follows:

(f) It is a defense to prosecution under this section for the possession of a chemical dispensing device that the actor holds a security officer commission issued by the Texas Commission on Private Security and has received training on the use of the chemical dispensing device by a training program that is:

(1) provided by the Commission on Law Enforcement Officer Standards and Education; or

(2) approved for the purposes described by this subsection by the Texas Commission on Private Security.

SECTION 2. (a) This Act takes effect September 1, 2003.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 1661 was passed by the House on May 9, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1661 on May 30, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 1661 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor