

BILL ANALYSIS

H.B. 1075
By: Menendez
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Texas law differentiates between peace officers and concealed weapon permit holders as regards to the authority to carry a weapon in public spaces. This distinction, however, is sometimes unclear to employees of establishments that serve the public. In the interest of public safety and Homeland Security, certified Peace Officers should be allowed to carry their weapons anywhere in the state in the event a critical incident occurs or on-site security is in need of assistance.

H.B. 1075 specifies that a peace officer is authorized to carry weapons into any public space, and specifies that commissioned peace officers of certain other states and special investigators are considered peace officers for this purpose.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 1075 amends the Penal Code to address the Criminal Trespass law and attempts to state clearly that an officer can not be asked to leave a premises solely because he is armed, which he had a right to be per Texas law.

EFFECTIVE DATE

September 1, 2005.