

By: Farabee

H.B. No. 1566

A BILL TO BE ENTITLED

AN ACT

1
2 relating to possession of a deadly weapon in a secured area of an
3 airport; creating an offense.

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

5 SECTION 1. Chapter 46, Penal Code, is amended by adding
6 Section 46.101 to read as follows:

7 Sec. 46.101. DEADLY WEAPON IN SECURED AREA OF AN AIRPORT.

8 (a) A person commits an offense if the person enters a secured area
9 of an airport and the person knowingly carries or conceals a deadly
10 weapon on or about the person's self or in the person's luggage,
11 including any carry-on items.

12 (b) An offense under this section is a felony of the third
13 degree.

14 (c) It is an affirmative defense to prosecution under this
15 section that at the time of the offense the actor was engaged in
16 conduct authorized by an airport employee having the authority to
17 provide security clearance or by the Transportation Security
18 Administration.

19 (d) If conduct constituting an offense under this section
20 also constitutes an offense under another section of this code, the
21 person may be prosecuted under either section or both sections.

22 SECTION 2. The change in law made by this Act applies only
23 to an offense committed on or after the effective date of this Act.
24 An offense committed before the effective date of this Act is

1 covered by the law in effect when the offense was committed, and the
2 former law is continued in effect for that purpose. For purposes of
3 this section, an offense was committed before the effective date of
4 this Act if any element of the offense was committed before that
5 date.

6 SECTION 3. This Act takes effect September 1, 2005.