

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 25, 2005

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2110 by Berman (Relating to the applicability of certain weapon laws to certain judges and prosecutors.), **As Passed 2nd House**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend Section 30.05 of the Penal Code by establishing an exception to the application of the offense of criminal trespass to certain law enforcement officers. No significant impact on the programs and workload of state corrections agencies is anticipated.

The bill would amend Section 46.15(a) of the Penal Code to exempt a district attorney, a criminal district attorney, or a judge or justice of a federal court who is licensed to carry a concealed handgun from applicability of Sections 46.02 (Unlawful Carrying Weapons) and 46.03 (Places Weapons Prohibited) of the Penal Code.

The bill would amend Section 1701.357 of the Occupations Code as it relates to the authority of certain honorably retired peace officers to carry certain weapons. The bill would modify the requirements that state or local law enforcement agencies place on honorably retired peace officers to demonstrate weapons proficiency. The bill would also repeal Section 46.15 (g), Penal Code, which relates to commissioned peace officers of a recognized state.

The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KJG, DLBa