

By: Paxton

H.B. No. 2300

A BILL TO BE ENTITLED

AN ACT

relating to the carrying of weapons by certain judges and justices and district and county attorneys.

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

SECTION 1. Section 411.179, Government Code, is amended by adding Subsection (c) to read as follows:

(c) In adopting the form of the license under Subsection (a), the department shall establish a procedure for the license of a judge, justice, district attorney, criminal district attorney, or county attorney described by Section 46.15(a)(4) or (6), Penal Code, to indicate on the license the license holder's status as a judge, justice, district attorney, criminal district attorney, or county attorney. In establishing the procedure, the department shall require sufficient documentary evidence to establish the license holder's status under this subsection.

SECTION 2. Sections 411.181(a) and (b), Government Code, are amended to read as follows:

(a) If a person who is a current license holder moves from the address stated on the license, [or] if the name of the person is changed by marriage or otherwise, or if the person's status as a judge, justice, district attorney, criminal district attorney, or county attorney becomes inapplicable for purposes of Section 411.179(c), the person shall, not later than the 30th day after the date of the address, [or] name, or status change, notify the

1 department and provide the department with the number of the
2 person's license and, as applicable, the person's:

3 (1) former and new addresses; or

4 (2) former and new names.

5 (b) If the name of the license holder is changed by marriage
6 or otherwise, or if the person's status becomes inapplicable as
7 described by Subsection (a), the person shall apply for a duplicate
8 license. The duplicate license must reflect the person's current
9 name and status.

10 SECTION 3. Section 46.035, Penal Code, is amended by adding
11 Subsection (h-1) to read as follows:

12 (h-1) It is an exception to the application of Subsections
13 (b)(1), (2), and (4)-(6), (c), and (d) that at the time of the
14 commission of the offense, the actor was:

15 (1) a judge or justice of a federal court;

16 (2) an active judicial officer, as defined by Section
17 411.201, Government Code; or

18 (3) a district attorney, criminal district attorney,
19 or county attorney.

20 SECTION 4. The change in law made by this Act applies only
21 to an offense committed on or after the effective date of this Act.
22 An offense committed before the effective date of this Act is
23 covered by the law in effect when the offense was committed, and the
24 former law is continued in effect for that purpose. For purposes of
25 this section, an offense was committed before the effective date of
26 this Act if any element of the offense was committed before that
27 date.

1 SECTION 5. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2007.