

By: Turner

H.B. No. 3635

A BILL TO BE ENTITLED

1 AN ACT

2 relating to procedures to limit the carrying of handguns by persons  
3 other than peace officers on certain premises used for law  
4 enforcement.

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

6 SECTION 1. Section 411.207, Government Code, is amended to  
7 read as follows:

8 Sec. 411.207. AUTHORITY OF PEACE OFFICER TO DISARM. (a) A  
9 peace officer who is acting in the lawful discharge of the officer's  
10 official duties may disarm a license holder at any time the officer  
11 reasonably believes it is necessary for the protection of the  
12 license holder, officer, or another individual. The peace officer  
13 shall return the handgun to the license holder before discharging  
14 the license holder from the scene if the officer determines that the  
15 license holder is not a threat to the officer, license holder, or  
16 another individual and if the license holder has not violated any  
17 provision of this subchapter or committed any other violation that  
18 results in the arrest of the license holder.

19 (b) A peace officer who is acting in the lawful discharge of  
20 the officer's official duties may temporarily disarm a license  
21 holder when a license holder enters a nonpublic, secure portion of a  
22 law enforcement facility. The peace officer shall return the  
23 handgun to the license holder immediately after the license holder  
24 leaves the nonpublic, secure portion of the law enforcement

1 facility.

2 (c) A law enforcement facility shall prominently display at  
3 each nonpublic, secure entrance a sign that gives notice in both  
4 English and Spanish that, under this section, a peace officer may  
5 temporarily disarm a license holder when the license holder enters  
6 a nonpublic, secure portion of a law enforcement facility. The sign  
7 must appear in contrasting colors with block letters at least one  
8 inch in height. The sign shall be displayed in a conspicuous manner  
9 clearly visible at each nonpublic, secure entrance.

10 (d) Subsections (b) and (c) apply only to premises used for  
11 the official business of peace officers described by Articles  
12 2.12(1) and (3), Code of Criminal Procedure.

13 SECTION 2. This Act takes effect September 1, 2007.