

BILL ANALYSIS

S.B. 729
By: Hegar
Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, a concealed handgun licensee can be charged with a Class A misdemeanor for carrying the concealed handgun into an establishment that derives 51 percent or more of its income from the sale of alcoholic beverages even if the establishment has failed to post the statutorily required notice that the establishment derives 51 percent or more of its income from the sale of alcoholic beverages.

S.B. 729 creates a defense to prosecution for the offense of unlawfully carrying a handgun on certain premises that the handgun license holder was not given effective notice of such a prohibition.

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

S.B. 729 amends the Penal Code to create a defense to prosecution for the offense of unlawful carrying of a handgun by a license holder on the premises of a business that holds a certain alcoholic beverage license or permit that the license holder was not given effective notice of a prohibition against carrying a handgun on the premises.

EFFECTIVE DATE

September 1, 2009.