

By: Riddle

H.B. No. 3684

A BILL TO BE ENTITLED

AN ACT

relating to the carrying of a handgun by a disabled person.

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

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

(e) In adopting the form of the license under Subsection (a), the department shall provide for a designation on the license of a person with a disability authorizing the person to carry a handgun without concealing the handgun if:

(1) the person's disability prevents the person from effectively concealing the handgun; and

(2) the person satisfies all other requirements of this subchapter.

SECTION 2. Section 46.035(h), Penal Code, is amended to read as follows:

(h) It is a defense to prosecution under Subsection (a) that the actor, at the time of the commission of the offense:

(1) [7] displayed the handgun under circumstances in which the actor would have been justified in the use of deadly force under Chapter 9; or

(2) possessed a handgun license bearing the designation described by Section 411.179(e), Government Code.

SECTION 3. The change in law made by this Act in amending Section 46.035(h), Penal Code, applies only to an offense committed

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

7 SECTION 4. This Act takes effect September 1, 2009.