

By: Hegar

S.B. No. 729

A BILL TO BE ENTITLED

1 AN ACT
2 relating to creating a defense to prosecution for the offense of
3 unlawful carrying of a handgun by a license holder on the premises
4 of certain businesses.

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

6 SECTION 1. Section 46.035, Penal Code, is amended by adding
7 Subsection (k) to read as follows:

8 (k) It is a defense to prosecution under Subsection (b)(1)
9 that the actor was not given effective notice under Section
10 411.204, Government Code.

11 SECTION 2. The change in law made by this Act applies only
12 to an offense committed on or after the effective date of this Act.
13 An offense committed before the effective date of this Act is
14 governed by the law in effect at the time the offense was committed,
15 and the former law is continued in effect for that purpose. For
16 purposes of this section, an offense was committed before the
17 effective date of this Act if any element of the offense occurred
18 before that date.

19 SECTION 3. This Act takes effect September 1, 2009.