

1-1 By: Hegar S.B. No. 729
1-2 (In the Senate - Filed February 9, 2009; February 25, 2009,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 March 26, 2009, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; March 26, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to creating a defense to prosecution for the offense of
1-9 unlawful carrying of a handgun by a license holder on the premises
1-10 of certain businesses.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 46.035, Penal Code, is amended by adding
1-13 Subsection (k) to read as follows:

1-14 (k) It is a defense to prosecution under Subsection (b)(1)
1-15 that the actor was not given effective notice under Section
1-16 411.204, Government Code.

1-17 SECTION 2. The change in law made by this Act applies only
1-18 to an offense committed on or after the effective date of this Act.
1-19 An offense committed before the effective date of this Act is
1-20 governed by the law in effect at the time the offense was committed,
1-21 and the former law is continued in effect for that purpose. For
1-22 purposes of this section, an offense was committed before the
1-23 effective date of this Act if any element of the offense occurred
1-24 before that date.

1-25 SECTION 3. This Act takes effect September 1, 2009.

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