

BILL ANALYSIS

C.S.H.B. 3619
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Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are various premises on which handguns may not be carried by concealed handgun license holders, regardless of whether the handgun is concealed. Interested parties note that there is a defense to prosecution for certain persons in positions of authority, such as judges and district attorneys, who carry a handgun on specified premises in violation of the law. The parties note that legislation is required to expand the list of persons who may use this defense. C.S.H.B. 3619 seeks to change statutes relating to the application of certain concealed handgun license laws to certain current and former statewide elected officials and members of the legislature.

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

C.S.H.B. 3619 amends Section 46.035(h-1), Penal Code, as added by Chapter 1222 (H.B. 2300), Acts of the 80th Legislature, Regular Session, 2007, to extend the applicability of the defense to prosecution available to certain officials for the offense of unlawful carrying of a handgun by a concealed handgun license holder involving the license holder intentionally, knowingly, or recklessly carrying a handgun, regardless of whether the handgun is concealed, on certain specified premises but not including the premises of a correctional facility, to a person who, at the time of the commission of the offense, was a current or former statewide elected official or a current or former member of the legislature.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3619 differs from the original in nonsubstantive ways reflective of certain bill drafting conventions.