

BILL ANALYSIS

S.B. 285
By: Harris
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, certain active judicial officers are subject to somewhat different requirements than other persons for obtaining a concealed handgun license and are exempted from certain provisions of law relating to the unlawful carrying of weapons and places where weapons are prohibited. Interested parties point out that certain associate judges are not included in the same requirements and exemptions applicable to other judicial officers. S.B. 285 seeks to address this issue by changing provisions of law so that such associate judges and certain other judicial personnel and officials are subject to the same requirements and exemptions as other active judicial officers.

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. 285 amends the Government Code to expand the definition of "active judicial officer," for purposes of such an officer's eligibility for a license to carry a concealed handgun, to include a person appointed and serving as a master, magistrate, referee, or associate judge under provisions of law relating to such personnel and officials and a person appointed and serving as an associate judge in a suit affecting the parent-child relationship, a suit relating to the marriage relationship, or a suit for a protective order relating to family violence.

S.B. 285 amends the Penal Code to include such a master, magistrate, referee, or associate judge among the judicial officers who hold a concealed handgun license who are exempt from provisions of law relating to the offense of unlawful carrying of a weapon and the offense of carrying a weapon in a prohibited place. The bill removes that exemption for a federal judge who is not a Texas resident.

EFFECTIVE DATE

September 1, 2011.