

By: Huberty

H.B. No. 698

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the carrying of concealed handguns by certain persons
3 attending a school board meeting.

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

5 SECTION 1. Section 46.03, Penal Code, is amended by adding
6 Subsection (j) to read as follows:

7 (j) It is a defense to prosecution under Subsection (a)(1)
8 that at the time of the commission of the offense the actor was:

9 (1) carrying a concealed handgun that the person was
10 licensed to carry under Subchapter H, Chapter 411, Government Code;
11 and

12 (2) attending a school board meeting in an official
13 capacity as:

14 (A) a member of the school board; or

15 (B) the superintendent of the school governed by
16 the school board.

17 SECTION 2. Section 46.035, Penal Code, is amended by adding
18 Subsection (l) to read as follows:

19 (l) It is a defense to prosecution under Subsection (c) that
20 at the time of the commission of the offense the actor was attending
21 a school board meeting in an official capacity as:

22 (1) a member of the school board; or

23 (2) the superintendent of the school governed by the
24 school board.

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

8 SECTION 4. This Act takes effect September 1, 2011.