

By: Miller of Erath

H.B. No. 1530

Substitute the following for H.B. No. 1530:

By: Walle

C.S.H.B. No. 1530

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the carrying of concealed handguns by county  
3 commissioners attending a meeting of the commissioners court.

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

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

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

9 (1) the actor was a county commissioner attending a  
10 meeting of the commissioners court;

11 (2) the commissioners court previously adopted and has  
12 maintained in effect an order or rule authorizing a county  
13 commissioner to carry a concealed handgun that the person is  
14 licensed to carry under Subchapter H, Chapter 411, Government Code,  
15 at a meeting of the commissioners court; and

16 (3) the handgun was concealed.

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

24 SECTION 3. This Act takes effect September 1, 2011.