

By: Larson

H.B. No. 2795

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting certain weapons on the premises of a local juvenile probation department office; providing a penalty.

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

SECTION 1. Sections 46.03(a) and (b), Penal Code, are amended to read as follows:

(a) A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon listed in Section 46.05(a):

(1) on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless pursuant to written regulations or written authorization of the institution;

(2) on the premises of a polling place on the day of an election or while early voting is in progress;

(3) on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court;

(4) on the premises of a racetrack;

(5) in or into a secured area of an airport; [~~or~~]

(6) within 1,000 feet of premises the location of

1 which is designated by the Texas Department of Criminal Justice as a  
2 place of execution under Article 43.19, Code of Criminal Procedure,  
3 on a day that a sentence of death is set to be imposed on the  
4 designated premises and the person received notice that:

5 (A) going within 1,000 feet of the premises with  
6 a weapon listed under this subsection was prohibited; or

7 (B) possessing a weapon listed under this  
8 subsection within 1,000 feet of the premises was prohibited; or

9 (7) on the premises of a local juvenile probation  
10 department office.

11 (b) It is a defense to prosecution under Subsections  
12 (a)(1)-(4) and (7) that the actor possessed a firearm while in the  
13 actual discharge of [~~his~~] official duties as a member of the armed  
14 forces or national guard, [~~or~~] a guard employed by a penal  
15 institution, or an officer of the court.

16 SECTION 2. This Act takes effect September 1, 2011.