

By: Miller of Erath

H.B. No. 3619

Substitute the following for H.B. No. 3619:

By: Fletcher

C.S.H.B. No. 3619

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the application of certain concealed handgun license
3 laws to certain current and former statewide elected officials and
4 members of the legislature.

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

6 SECTION 1. Section 46.035(h-1), Penal Code, as added by
7 Chapter 1222 (H.B. 2300), Acts of the 80th Legislature, Regular
8 Session, 2007, is amended to read as follows:

9 (h-1) It is a defense to prosecution under Subsections
10 (b)(1), (2), and (4)-(6), and (c) that at the time of the commission
11 of the offense, the actor was:

12 (1) a judge or justice of a federal court;

13 (2) an active judicial officer, as defined by Section
14 411.201, Government Code; ~~or~~

15 (3) a district attorney, assistant district attorney,
16 criminal district attorney, assistant criminal district attorney,
17 county attorney, or assistant county attorney;

18 (4) a current or former statewide elected official; or

19 (5) a current or former member of the legislature.

20 SECTION 2. The change in law made by this Act applies only
21 to an offense committed on or after the effective date of this Act.
22 An offense committed before the effective date of this Act is
23 governed by the law in effect on the date the offense was committed,
24 and the former law is continued in effect for that purpose. For

1 purposes of this section, an offense was committed before the
2 effective date of this Act if any element of the offense occurred
3 before that date.

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