

By: Guillen

H.B. No. 508

A BILL TO BE ENTITLED

AN ACT

relating to certain laws relating to carrying concealed handguns on property owned or leased by a governmental entity; creating an offense.

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

SECTION 1. Chapter 30, Penal Code, is amended by adding Section 30.061 to read as follows:

Sec. 30.061. WRONGFUL EXCLUSION OF CONCEALED HANDGUN LICENSE HOLDER. (a) In this section:

(1) "License holder" has the meaning assigned by Section 46.035(f).

(2) "Public employee" means an employee or appointed officer other than an independent contractor who is paid to perform services for a state or local governmental entity.

(b) A person commits an offense if the person is a public employee who provides notice under Section 30.06 to a license holder carrying a handgun under the authority of Subchapter H, Chapter 411, Government Code, that entering or remaining on a premises or other place owned or leased by a governmental entity is prohibited and:

(1) the license holder is not prohibited from carrying a handgun on the premises or other place by Section 46.03 or Section 46.035; and

(2) the public employee is reckless as to whether a

1 license holder is prohibited from carrying a handgun on the  
2 premises or other place.

3 (c) An offense under this section is a Class C misdemeanor  
4 with a minimum fine of \$250. If it is shown on the trial of the  
5 offense that the notice was provided by written communication, each  
6 day of a continuing violation constitutes a separate violation.

7 SECTION 2. Section 46.035(c), Penal Code, is amended to  
8 read as follows:

9 (c) A license holder commits an offense if the license  
10 holder intentionally, knowingly, or recklessly carries a handgun  
11 under the authority of Subchapter H, Chapter 411, Government Code,  
12 regardless of whether the handgun is concealed, in the room or rooms  
13 where a [at any] meeting of a governmental entity is held and if the  
14 meeting is an open meeting subject to Chapter 551, Government Code,  
15 and the entity provided notice as required by that chapter.

16 SECTION 3. The change in law made by this Act in amending  
17 Section 46.035(c), Penal Code, applies only to an offense committed  
18 on or after the effective date of this Act. An offense committed  
19 before the effective date of this Act is governed by the law in  
20 effect on the date the offense was committed, and the former law is  
21 continued in effect for that purpose. For purposes of this section,  
22 an offense was committed before the effective date of this Act if  
23 any element of the offense occurred before that date.

24 SECTION 4. This Act takes effect September 1, 2013.