

1 AN ACT

2 relating to the intentional display of a handgun by a person
3 licensed to carry a concealed handgun.

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

5 SECTION 1. Subsections (a) and (h), Section 46.035, Penal
6 Code, are amended to read as follows:

7 (a) A license holder commits an offense if the license
8 holder carries a handgun on or about the license holder's person
9 under the authority of Subchapter H, Chapter 411, Government Code,
10 and intentionally displays [~~fails to conceal~~] the handgun in plain
11 view of another person in a public place.

12 (h) It is a defense to prosecution under Subsection (a) that
13 the actor, at the time of the commission of the offense, displayed
14 the handgun under circumstances in which the actor would have been
15 justified in the use of force or deadly force under Chapter 9.

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

23 SECTION 3. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 299 passed the Senate on April 4, 2013, by the following vote: Yeas 28, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 299 passed the House on May 6, 2013, by the following vote: Yeas 140, Nays 6, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor