

By: Estes, et al. S.B. No. 299
(Sheets, Fletcher, Fallon, Paddie, Isaac, et al.)

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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