

1-1 By: Estes, Schwertner S.B. No. 299  
 1-2 (In the Senate - Filed January 29, 2013; February 5, 2013,  
 1-3 read first time and referred to Committee on Criminal Justice;  
 1-4 March 28, 2013, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 5, Nays 1; March 28, 2013,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

|                 | Yea | Nay | Absent | PNV |
|-----------------|-----|-----|--------|-----|
| 1-8 Whitmire    | X   |     |        |     |
| 1-9 Huffman     | X   |     |        |     |
| 1-10 Carona     |     |     | X      |     |
| 1-11 Hinojosa   | X   |     |        |     |
| 1-12 Patrick    | X   |     |        |     |
| 1-13 Rodriguez  |     | X   |        |     |
| 1-14 Schwertner | X   |     |        |     |

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 299 By: Hinojosa

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the intentional display of a handgun by a person  
 1-20 licensed to carry a concealed handgun.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subsections (a) and (h), Section 46.035, Penal  
 1-23 Code, are amended to read as follows:

1-24 (a) A license holder commits an offense if the license  
 1-25 holder carries a handgun on or about the license holder's person  
 1-26 under the authority of Subchapter H, Chapter 411, Government Code,  
 1-27 and intentionally displays [~~fails to conceal~~] the handgun in plain  
 1-28 view of another person in a public place.

1-29 (h) It is a defense to prosecution under Subsection (a) that  
 1-30 the actor, at the time of the commission of the offense, displayed  
 1-31 the handgun under circumstances in which the actor would have been  
 1-32 justified in the use of force or deadly force under Chapter 9.

1-33 SECTION 2. The change in law made by this Act applies only to  
 1-34 an offense committed on or after the effective date of this Act. An  
 1-35 offense committed before the effective date of this Act is governed  
 1-36 by the law in effect on the date the offense was committed, and the  
 1-37 former law is continued in effect for that purpose. For purposes of  
 1-38 this section, an offense was committed before the effective date of  
 1-39 this Act if any element of the offense occurred before that date.

1-40 SECTION 3. This Act takes effect September 1, 2013.

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