

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 15, 2013**

**TO:** Honorable Abel Herrero, Chair, House Committee On Criminal Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB508** by Guillen (Relating to certain laws relating to carrying concealed handguns on property owned or leased by a governmental entity; creating an offense.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend Penal Code to create a penalty for a public employee who blocks access for a licensed concealed handgun carrier to government property that is not explicitly prohibited by Sections 46.03 or 46.035, Penal Code. Locations covered by these sections include educational institutions, polling places, government courts and court offices, racetracks, secured areas of airports, and within 1,000 feet of a place of execution described by Article 43.19, Code of Criminal Procedure. The penalty to a public employee who commits an offense under the provisions of the bill would be a Class C misdemeanor with a minimum fine of \$250.

The bill would also amend Section 46.035(c), Penal Code, to only include open meetings under Chapter 551, Government Code, as a government meeting in which a handgun is prohibited under this section. Current statute includes all meetings of government entities as a location in which carrying a handgun is prohibited. An offense under this section is a Class A misdemeanor.

A Class C misdemeanor is punishable by a fine of not more than \$500. Costs associated with enforcement and prosecution could likely be absorbed within existing resources. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both.

**Local Government Impact**

Fiscal impact on local governments would vary depending on the number of cases that occur in a given locality but is not anticipated to be significant.

Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Lost revenue from fewer fines imposed and collected is not anticipated to have a significant fiscal impact.

**Source Agencies:**

**LBB Staff:** UP, ESi, SD, KKR