

By: White of Tyler

H.B. No. 573

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution for the offense of possessing or carrying a firearm on the premises of a polling place.

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

SECTION 1. Section 46.03, Penal Code, is amended by amending Subsection (f) and adding Subsection (j) to read as follows:

(f) Except as provided by Subsection (j), it ~~is~~ is not a defense to prosecution under this section that the actor possessed a handgun and was licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code.

(j) It is a defense to prosecution under Subsection (a)(2) that the actor, while serving as an election judge or clerk at the polling place, possessed a concealed handgun that the actor was licensed to carry under Subchapter H, Chapter 411, Government Code.

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, 2015.