

Amend CSHB 1935 (house committee report) as follows:

(1) Strike page 1, line 4, through page 3, line 17.

(2) Strike "[~~illegal knife~~]" and substitute "location-restricted [~~illegal~~] knife," in each of the following places it appears:

(A) page 4, lines 6 and 7; and

(B) page 4, line 19.

(3) On page 5, line 2, strike "Section 46.02(a), Penal Code, is amended" and substitute "Section 46.02, Penal Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-4) and (d)".

(4) On page 5, between lines 13 and 14, insert the following:

(a-4) A person commits an offense if the person:

(1) intentionally, knowingly, or recklessly carries on or about his or her person a location-restricted knife;

(2) is younger than 18 years of age at the time of the offense; and

(3) is not:

(A) on the person's own premises or premises under the person's control;

(B) inside of or directly en route to a motor vehicle or watercraft that is owned by the person or under the person's control; or

(C) under the direct supervision of a parent or legal guardian of the person.

(b) Except as provided by Subsection (c) or (d), an offense under this section is a Class A misdemeanor.

(d) An offense under Subsection (a-4) is a Class C misdemeanor.

(5) On page 5, line 14, strike "Section 46.03(a), Penal Code, is amended" and substitute "Section 46.03, Penal Code, is amended by amending Subsections (a) and (g) and adding Subsections (a-1) and (g-1)".

(6) On page 5, lines 17 and 18, strike "[~~illegal knife~~]" and substitute "location-restricted [~~illegal~~] knife,".

(7) On page 6, between lines 23 and 24, insert the

following:

(a-1) A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a location-restricted knife:

(1) on the premises of a business that has a permit or license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic Beverage Code, if the business derives 51 percent or more of its income from the sale or service of alcoholic beverages for on-premises consumption, as determined by the Texas Alcoholic Beverage Commission under Section 104.06, Alcoholic Beverage Code;

(2) on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place, unless the person is a participant in the event and a location-restricted knife is used in the event;

(3) on the premises of a correctional facility;

(4) on the premises of a hospital licensed under Chapter 241, Health and Safety Code, or on the premises of a nursing facility licensed under Chapter 242, Health and Safety Code, unless the person has written authorization of the hospital or nursing facility administration, as appropriate;

(5) on the premises of a mental hospital, as defined by Section 571.003, Health and Safety Code, unless the person has written authorization of the mental hospital administration;

(6) in an amusement park; or

(7) on the premises of a church, synagogue, or other established place of religious worship.

(g) Except as provided by Subsection (g-1), an ~~An~~ offense under this section is a felony of the third degree ~~[felony]~~.

(g-1) If the weapon that is the subject of the offense is a location-restricted knife, an offense under this section is a Class C misdemeanor, except that the offense is a felony of the third degree if the offense is committed under Subsection (a)(1).

(8) On page 7, lines 6 and 7, strike "or~~[7]~~ club~~[7 or illegal knife]~~" and substitute ", club, or location-restricted ~~[illegal]~~ knife".

(9) Strike SECTION 7 of the bill (page 7, lines 25 and 26).

(10) Add the following appropriately numbered SECTIONS to

the bill:

SECTION _____. Section 46.01(6), Penal Code, is amended to read as follows:

(6) "Location-restricted [~~illegal~~] knife" means a[+] [~~(A)~~] knife with a blade over five and one-half inches[+] [~~(B) hand instrument designed to cut or stab another by being thrown,~~] [~~(C) dagger, including but not limited to a dirk, stiletto, and poniard,~~] [~~(D) bowie knife,~~] [~~(E) sword, or~~] [~~(F) spear~~].

SECTION _____. Section 46.03(c)(2), Penal Code, is amended to read as follows:

(2) "Amusement park" and "premises" have [~~"Premises"~~ ~~has~~] the meanings [~~meaning~~] assigned by Section 46.035.

SECTION _____. Section 46.15(e), Penal Code, is amended to read as follows:

(e) [~~The provisions of~~] Section 46.02(a-4) does [~~46.02 prohibiting the carrying of an illegal knife do~~] not apply to an individual carrying a location-restricted knife [~~bowie knife or a sword~~] used in a historical demonstration or in a ceremony in which the knife [~~or sword~~] is significant to the performance of the ceremony.

(11) Renumber remaining SECTIONS of the bill accordingly.