

By: Anchia

H.B. No. 466

A BILL TO BE ENTITLED

AN ACT

relating to limiting the locations in which a license holder may openly carry a handgun; restricting an exception to a criminal offense.

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

SECTION 1. Subchapter A, Chapter 229, Local Government Code, is amended by adding Section 229.005 to read as follows:

Sec. 229.005. MUNICIPAL REGULATION OF OPENLY CARRYING HANDGUN. (a) Subject to Subsection (b), the governing body of a municipality with a population of more than 750,000 may adopt an ordinance prohibiting a person who holds a license to carry a handgun under Subchapter H, Chapter 411, Government Code, from carrying a partially or wholly visible handgun within the corporate boundaries of the municipality.

(b) The governing body of a municipality may adopt an ordinance under Subsection (a) only if a majority of the municipality's voters voting at an election held for that purpose approve a proposition to authorize the governing body to adopt the ordinance.

SECTION 2. Section 46.035, Penal Code, is amended by adding Subsection (m) to read as follows:

(m) The exception provided by Subsection (a) is not available to a license holder who is carrying a partially or wholly visible handgun in a municipality with an ordinance that was

1 adopted under Section 229.005, Local Government Code, and is in
2 effect at the time of the offense.

3 SECTION 3. The change in law made by this Act in adding
4 Section 46.035(m), Penal Code, applies only to an offense committed
5 on or after the effective date of this Act. An offense committed
6 before the effective date of this Act is governed by the law in
7 effect on the date the offense was committed, and the former law is
8 continued in effect for that purpose. For purposes of this section,
9 an offense was committed before the effective date of this Act if
10 any element of the offense occurred before that date.

11 SECTION 4. This Act takes effect September 1, 2017.