

By: Wray, Price, Burns, Phelan, et al.

H.B. No. 981

A BILL TO BE ENTITLED

AN ACT

relating to the carrying of handguns by and an exemption from application of the Private Security Act of certain persons who provide security services on a volunteer basis at an established place of religious worship.

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

SECTION 1. Subchapter N, Chapter 1702, Occupations Code, is amended by adding Section 1702.333 to read as follows:

Sec. 1702.333. PLACE OF RELIGIOUS WORSHIP; CERTAIN VOLUNTEERS. (a) This chapter does not apply to a person who complies with Subsection (b) and who is approved by the leadership of a church, synagogue, or other established place of religious worship to provide security services on the premises of the place of religious worship as a member of a volunteer safety group.

(b) While serving as a member of a volunteer safety group, a person may not:

(1) wear a uniform, badge, patch, or other item that would give the member the appearance of being a peace officer, personal protection officer, or security officer; or

(2) carry an object displaying a word or phrase, including the word "security," that would give the person the appearance of being a peace officer, personal protection officer, or security officer.

SECTION 2. Subchapter H, Chapter 411, Government Code, is

1 amended by adding Section 411.2035 to read as follows:

2 Sec. 411.2035. CARRYING OF HANDGUNS ON PREMISES OF PLACE OF
3 RELIGIOUS WORSHIP. (a) This section applies only to a person who
4 is providing security services to a church, synagogue, or other
5 established place of religious worship as a member of a volunteer
6 safety group of the place of religious worship as described by
7 Section 1702.333, Occupations Code.

8 (b) A person described by Subsection (a) who is licensed to
9 carry a handgun under this subchapter may carry a handgun on the
10 premises of the applicable place of religious worship only on
11 approval by the leadership of the place of religious worship.

12 SECTION 3. Section 46.035(b), Penal Code, is amended to
13 read as follows:

14 (b) A license holder commits an offense if the license
15 holder intentionally, knowingly, or recklessly carries a handgun
16 under the authority of Subchapter H, Chapter 411, Government Code,
17 regardless of whether the handgun is concealed or carried in a
18 shoulder or belt holster, on or about the license holder's person:

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

25 (2) on the premises where a high school, collegiate,
26 or professional sporting event or interscholastic event is taking
27 place, unless the license holder is a participant in the event and a

handgun 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 license holder has written authorization of the hospital or nursing facility administration, as appropriate;

(5) in an amusement park; or

(6) on the premises of a church, synagogue, or other established place of religious worship, unless:

(A) the license holder is providing security services to a church, synagogue, or other established place of religious worship as a member of a volunteer safety group of the place of religious worship as described by Section 1702.333, Occupations Code; and

(B) the leadership of the place of religious worship has approved the carrying of the handgun by the license holder.

SECTION 4. The change in law made by this Act to Section 46.035, Penal Code, 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 5. This Act takes effect September 1, 2017.