

1-1 By: Creighton S.B. No. 349  
 1-2 (In the Senate - Filed December 16, 2016; January 30, 2017,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 April 25, 2017, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; April 25, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the prosecution of the offense of possessing a weapon in  
 1-20 certain prohibited places associated with schools or postsecondary  
 1-21 educational institutions.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 46.03(a), Penal Code, is amended to read  
 1-24 as follows:

1-25 (a) A person commits an offense if the person intentionally,  
 1-26 knowingly, or recklessly possesses or goes with a firearm, illegal  
 1-27 knife, club, or prohibited weapon listed in Section 46.05(a):

1-28 (1) on the ~~physical~~ premises of a school or  
 1-29 postsecondary educational institution, on any grounds or building  
 1-30 owned by and under the control of a school or postsecondary  
 1-31 educational institution and on which an activity sponsored by the  
 1-32 [a] school or [educational] institution is being conducted, or in a  
 1-33 passenger transportation vehicle of a school or postsecondary  
 1-34 educational institution, whether the school or postsecondary  
 1-35 educational institution is public or private, unless:

1-36 (A) pursuant to written regulations or written  
 1-37 authorization of the school or institution; or

1-38 (B) ~~the person possesses or goes with a concealed~~  
 1-39 ~~handgun that the person is licensed to carry under Subchapter H,~~  
 1-40 ~~Chapter 411, Government Code, and no other weapon to which this~~  
 1-41 ~~section applies, on the premises of a postsecondary educational~~  
 1-42 ~~institution [an institution of higher education or private or~~  
 1-43 ~~independent institution of higher education], on any grounds or~~  
 1-44 ~~building owned by and under the control of the institution and on~~  
 1-45 ~~which an activity sponsored by the institution is being conducted,~~  
 1-46 ~~or in a passenger transportation vehicle of the institution;~~

1-47 (2) on the premises of a polling place on the day of an  
 1-48 election or while early voting is in progress;

1-49 (3) on the premises of any government court or offices  
 1-50 utilized by the court, unless pursuant to written regulations or  
 1-51 written authorization of the court;

1-52 (4) on the premises of a racetrack;

1-53 (5) in or into a secured area of an airport; or

1-54 (6) within 1,000 feet of premises the location of  
 1-55 which is designated by the Texas Department of Criminal Justice as a  
 1-56 place of execution under Article 43.19, Code of Criminal Procedure,  
 1-57 on a day that a sentence of death is set to be imposed on the  
 1-58 designated premises and the person received notice that:

1-59 (A) going within 1,000 feet of the premises with  
 1-60 a weapon listed under this subsection was prohibited; or

1-61 (B) possessing a weapon listed under this

2-1 subsection within 1,000 feet of the premises was prohibited.

2-2 SECTION 2. Section 46.03(c), Penal Code, is amended by  
2-3 adding Subdivision (1-a) to read as follows:

2-4 (1-a) "Postsecondary educational institution" means  
2-5 an institution of higher education or a private or independent  
2-6 institution of higher education.

2-7 SECTION 3. The change in law made by this Act applies only  
2-8 to an offense committed on or after the effective date of this Act.  
2-9 An offense committed before the effective date of this Act is  
2-10 governed by the law in effect on the date the offense was committed,  
2-11 and the former law is continued in effect for that purpose. For  
2-12 purposes of this section, an offense was committed before the  
2-13 effective date of this Act if any element of the offense occurred  
2-14 before that date.

2-15 SECTION 4. This Act takes effect September 1, 2017.

2-16 \* \* \* \* \*