

By: West

S.B. No. 1188

A BILL TO BE ENTITLED

AN ACT

relating to the offense involving the carrying of handguns by license holders on the premises of certain recreation centers.

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

SECTION 1. Sections 46.035(b) and (i), Penal Code, are amended to read as follows:

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

(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 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

1 facility licensed under Chapter 242, Health and Safety Code, unless
2 the license holder has written authorization of the hospital or
3 nursing facility administration, as appropriate;

4 (5) in an amusement park; ~~or~~

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

7 (7) if the center is not a premises on which an event
8 is occurring as described by Subdivision (2), on the premises of a
9 recreation center owned by the government, unless the license
10 holder is a participant in an event conducted at the center and a
11 handgun is used in the event.

12 (i) Subsections (b)(4), (b)(5), (b)(6), (b)(7), and (c) do
13 not apply if the actor was not given effective notice under Section
14 30.06 or 30.07.

15 SECTION 2. The change in law made by this Act applies only
16 to an offense committed on or after the effective date of this Act.
17 An offense committed before the effective date of this Act is
18 governed by the law in effect on the date the offense was committed,
19 and the former law is continued in effect for that purpose. For
20 purposes of this section, an offense was committed before the
21 effective date of this Act if any element of the offense occurred
22 before that date.

23 SECTION 3. This Act takes effect September 1, 2017.