

By: Huberty

H.B. No. 734

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the carrying of concealed or holstered handguns by  
3 certain handgun license holders attending a meeting of the board of  
4 trustees of a school district or the governing body of an  
5 open-enrollment charter school.

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

7 SECTION 1. Section 46.03, Penal Code, is amended by adding  
8 Subsection (j) to read as follows:

9 (j) It is a defense to prosecution under Subsection (a)(1)  
10 that at the time of the commission of the offense the actor was:

11 (1) carrying in a concealed manner or in a shoulder or  
12 belt holster a handgun that the person was licensed to carry under  
13 Subchapter H, Chapter 411, Government Code; and

14 (2) attending a meeting of the board of trustees of a  
15 school district or the governing body of an open-enrollment charter  
16 school in an official capacity as:

17 (A) a member of the board or governing body; or

18 (B) the superintendent of the school district or  
19 charter school or another person serving in a similar capacity.

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

22 (n) It is a defense to prosecution under Subsection (c) that  
23 at the time of the commission of the offense the actor was attending  
24 a meeting of the board of trustees of a school district or the

1 governing body of an open-enrollment charter school in an official  
2 capacity as:

3 (1) a member of the board or governing body; or

4 (2) the superintendent of the school district or  
5 charter school or another person serving in a similar capacity.

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

14 SECTION 4. This Act takes effect September 1, 2019.