

AN ACT

relating to the offense of possessing a weapon in a secured area of an airport.

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

SECTION 1. Section 46.03(c)(3), Penal Code, is amended to read as follows:

(3) "Secured area" means an area:

(A) of an airport terminal building or of an adjacent aircraft parking area used by common carriers in air transportation but not used by general aviation; and

(B) to which access is controlled ~~[by the inspection of persons and property]~~ under federal law.

SECTION 2. Section 46.03(e), Penal Code, is amended to read as follows:

(e) It is a defense to prosecution under Subsection (a)(5) that the actor:

(1) checked all firearms as baggage in accordance with federal or state law or regulations before entering a secured area; or

(2) was authorized by a federal agency or the airport operator to possess a firearm in a secured area.

SECTION 3. The change in law made by this Act 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

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1 governed by the law in effect on the date the offense was committed,
2 and the former law is continued in effect for that purpose. For
3 purposes of this section, an offense was committed before the
4 effective date of this Act if any element of the offense occurred
5 before that date.

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

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President of the Senate

Speaker of the House

I certify that H.B. No. 1168 was passed by the House on April 24, 2019, by the following vote: Yeas 140, Nays 8, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1168 was passed by the Senate on May 16, 2019, by the following vote: Yeas 17, Nays 14.

Secretary of the Senate

APPROVED: _____

Date

Governor