

1-1 By: Creighton S.B. No. 117  
 1-2 (In the Senate - Filed November 12, 2018; February 1, 2019,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 April 25, 2019, reported favorably by the following vote: Yeas 7,  
 1-5 Nays 1; April 25, 2019, 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,  
 1-27 location-restricted knife, club, or prohibited weapon listed in  
 1-28 Section 46.05(a):

1-29 (1) on the ~~[physical]~~ premises of a school or  
 1-30 postsecondary educational institution, on any grounds or building  
 1-31 owned by and under the control of a school or postsecondary  
 1-32 educational institution and on which an activity sponsored by the  
 1-33 [a] school or [educational] institution is being conducted, or in a  
 1-34 passenger transportation vehicle of a school or postsecondary  
 1-35 educational institution, whether the school or postsecondary  
 1-36 educational institution is public or private, unless:

1-37 (A) pursuant to written regulations or written  
 1-38 authorization of the school or institution; or

1-39 (B) the person possesses or goes with a concealed  
 1-40 handgun that the person is licensed to carry under Subchapter H,  
 1-41 Chapter 411, Government Code, and no other weapon to which this  
 1-42 section applies, on the premises of a postsecondary educational  
 1-43 institution [an institution of higher education or private or  
 1-44 independent institution of higher education], on any grounds or  
 1-45 building owned by and under the control of the institution and on  
 1-46 which an activity sponsored by the institution is being conducted,  
 1-47 or in a passenger transportation vehicle of the institution;

1-48 (2) on the premises of a polling place on the day of an  
 1-49 election or while early voting is in progress;

1-50 (3) on the premises of any government court or offices  
 1-51 utilized by the court, unless pursuant to written regulations or  
 1-52 written authorization of the court;

1-53 (4) on the premises of a racetrack;

1-54 (5) in or into a secured area of an airport; or

1-55 (6) within 1,000 feet of premises the location of  
 1-56 which is designated by the Texas Department of Criminal Justice as a  
 1-57 place of execution under Article 43.19, Code of Criminal Procedure,  
 1-58 on a day that a sentence of death is set to be imposed on the  
 1-59 designated premises and the person received notice that:

1-60 (A) going within 1,000 feet of the premises with  
 1-61 a weapon listed under this subsection was prohibited; or

2-1 (B) possessing a weapon listed under this  
2-2 subsection within 1,000 feet of the premises was prohibited.

2-3 SECTION 2. Section 46.03(c), Penal Code, is amended by  
2-4 adding Subdivisions (1-a) and (2-a) to read as follows:

2-5 (1-a) "Postsecondary educational institution" means  
2-6 an institution of higher education or a private or independent  
2-7 institution of higher education.

2-8 (2-a) "School" means an accredited primary or  
2-9 secondary school.

2-10 SECTION 3. The change in law made by this Act applies only  
2-11 to an offense committed on or after the effective date of this Act.  
2-12 An offense committed before the effective date of this Act is  
2-13 governed by the law in effect on the date the offense was committed,  
2-14 and the former law is continued in effect for that purpose. For  
2-15 purposes of this section, an offense was committed before the  
2-16 effective date of this Act if any element of the offense occurred  
2-17 before that date.

2-18 SECTION 4. This Act takes effect September 1, 2019.

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