AN ACT

relating to the carrying of a handgun by a license holder on the
premises of certain places of religious worship.

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

(5) in an amusement park; or

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

[on the premises of a civil commitment facility.

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

SECTION 2. Section 46.035(h-1), Penal Code, as added by
Chapter 1222 (H.B. 2300), Acts of the 80th Legislature, Regular
Session, 2007, is amended to read as follows:

(h-1) It is a defense to prosecution under Subsections
(b)(1), (2), (4), and (5) and (c) that at the time of the
commission of the offense, the actor was:

(1) a judge or justice of a federal court;

(2) an active judicial officer, as defined by Section
411.201, Government Code; or

(3) the attorney general or a United States attorney,
assistant United States attorney, assistant attorney general,
district attorney, assistant district attorney, criminal district
attorney, assistant criminal district attorney, county attorney,
or assistant county attorney.

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

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

President of the Senate
I hereby certify that S.B. No. 535 passed the Senate on May 1, 2019, by the following vote: Yeas 23, Nays 8.

Speaker of the House

I hereby certify that S.B. No. 535 passed the House on May 21, 2019, by the following vote: Yeas 86, Nays 53, two present not voting.

Secretary of the Senate

Chief Clerk of the House

Approved:

Date

Governor