

1-1 By: Campbell S.B. No. 535
 1-2 (In the Senate - Filed January 30, 2019; February 21, 2019,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 April 29, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 29, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 535 By: Birdwell

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the carrying of a handgun by a license holder on the
 1-22 premises of certain places of religious worship.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Sections 46.035(b) and (i), Penal Code, are
 1-25 amended to read as follows:

1-26 (b) A license holder commits an offense if the license
 1-27 holder intentionally, knowingly, or recklessly carries a handgun
 1-28 under the authority of Subchapter H, Chapter 411, Government Code,
 1-29 regardless of whether the handgun is concealed or carried in a
 1-30 shoulder or belt holster, on or about the license holder's person:

1-31 (1) on the premises of a business that has a permit or
 1-32 license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic
 1-33 Beverage Code, if the business derives 51 percent or more of its
 1-34 income from the sale or service of alcoholic beverages for
 1-35 on-premises consumption, as determined by the Texas Alcoholic
 1-36 Beverage Commission under Section 104.06, Alcoholic Beverage Code;

1-37 (2) on the premises where a high school, collegiate,
 1-38 or professional sporting event or interscholastic event is taking
 1-39 place, unless the license holder is a participant in the event and a
 1-40 handgun is used in the event;

1-41 (3) on the premises of a correctional facility;

1-42 (4) on the premises of a hospital licensed under
 1-43 Chapter 241, Health and Safety Code, or on the premises of a nursing
 1-44 facility licensed under Chapter 242, Health and Safety Code, unless
 1-45 the license holder has written authorization of the hospital or
 1-46 nursing facility administration, as appropriate;

1-47 (5) in an amusement park; or

1-48 (6) ~~[on the premises of a church, synagogue, or other~~
 1-49 ~~established place of religious worship; or~~

1-50 ~~[(7)]~~ on the premises of a civil commitment facility.

1-51 (i) Subsections (b)(4), (b)(5), ~~[(b)(6)]~~ and (c) do not
 1-52 apply if the actor was not given effective notice under Section
 1-53 30.06 or 30.07.

1-54 SECTION 2. Section 46.035(h-1), Penal Code, as added by
 1-55 Chapter 1222 (H.B. 2300), Acts of the 80th Legislature, Regular
 1-56 Session, 2007, is amended to read as follows:

1-57 (h-1) It is a defense to prosecution under Subsections
 1-58 (b)(1), (2), (4), and (5) ~~[and (6)]~~ and (c) that at the time of the
 1-59 commission of the offense, the actor was:

1-60 (1) a judge or justice of a federal court;

2-1 (2) an active judicial officer, as defined by Section
2-2 [411.201](#), Government Code; or

2-3 (3) the attorney general or a United States attorney,
2-4 assistant United States attorney, assistant attorney general,
2-5 district attorney, assistant district attorney, criminal district
2-6 attorney, assistant criminal district attorney, county attorney,
2-7 or assistant county attorney.

2-8 SECTION 3. The change in law made by this Act applies only
2-9 to an offense committed on or after the effective date of this Act.
2-10 An offense committed before the effective date of this Act is
2-11 governed by the law in effect at the time the offense was committed,
2-12 and the former law is continued in effect for that purpose. For
2-13 purposes of this section, an offense was committed before the
2-14 effective date of this Act if any element of the offense occurred
2-15 before that date.

2-16 SECTION 4. This Act takes effect September 1, 2019.

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