



870225

Don Huley

FLOOR AMENDMENT NO. _____

Shawn Miller BY: Schaefer
[Signature]

1 Amend H.B. No. 1927 on third reading as follows:

2 (1) Strike added Section 30.05(d-3), Penal Code, and
3 substitute the following:

4 (d-3) An offense under this section is a Class C misdemeanor
5 punishable by a fine not to exceed \$200 if the person enters the
6 property, land, or building with a firearm or other weapon and the
7 sole basis on which entry on the property or land or in the building
8 was forbidden is that entry with a firearm or other weapon was
9 forbidden, except that the offense is a Class A misdemeanor if it
10 is shown on the trial of the offense that, after entering the
11 property, land, or building with the firearm or other weapon, the
12 actor:

13 (1) personally received from the owner of the property
14 or another person with apparent authority to act for the owner
15 notice that entry with a firearm or other weapon was forbidden, as
16 given through:

17 (A) notice under Subsection (b)(2)(A), including
18 oral or written communication; or

19 (B) if the actor is unable to reasonably understand
20 the notice described by Paragraph (A), other personal notice that
21 is reasonable under the circumstances; and

22 (2) subsequently failed to depart.

23 (2) Strike added Section 30.05(f-4), Penal Code, and
24 substitute the following:

25 (f-4) It is a defense to prosecution under this section that:

1 (1) the sole basis on which entry on the property or
2 land or in the building was forbidden is that entry with a firearm
3 or other weapon was forbidden;

4 (2) the actor:

5 (A) personally received from the owner of the
6 property or another person with apparent authority to act for the
7 owner notice that entry with a firearm or other weapon was
8 forbidden, as given through:

9 (i) notice under Subsection (b)(2)(A),
10 including oral or written communication; or

11 (ii) if the actor is unable to reasonably
12 understand the notice described by Subparagraph (i), other
13 personal notice that is reasonable under the circumstances; and

14 (B) promptly departed from the property.

15 (3) Strike added Section 46.15(m), Penal Code, and substitute
16 the following:

17 (m) Section 46.03 does not apply to a person unless the
18 person:

19 (1) personally received from the owner of the property
20 or another person with apparent authority to act for the owner
21 notice that carrying a weapon on the property was prohibited, as
22 given through:

23 (A) oral or written communication; or

24 (B) if the person is unable to reasonably
25 understand the communication described by Paragraph (A), other
26 personal notice that is reasonable under the circumstances; and

27 (2) subsequently failed to depart.