87R9603 MEW-F

By:  Cason, White, Schaefer, H.B. No. 2967

     Morales of Maverick, et al.

A BILL TO BE ENTITLED

AN ACT

relating to the unlawful carrying of a handgun in a motor vehicle or watercraft.

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

SECTION 1.  Section 46.02(a-1), Penal Code, is amended to read as follows:

(a-1)  A person commits an offense if the person intentionally, knowingly, or recklessly carries on or about his or her person a handgun in a motor vehicle or watercraft that is owned by the person or under the person's control at any time in which:

(1)  the handgun is in plain view, unless the person is licensed to carry a handgun under Subchapter H, Chapter 411, Government Code, and the handgun is carried in a shoulder or belt holster; or

(2)  the person [~~is~~]:

(A)  is engaged in criminal activity, other than a Class C misdemeanor that is a violation of a law or ordinance regulating traffic or boating;

(B)  is prohibited by law from possessing a firearm; or

(C)  has been previously convicted of an offense for which the judgment in the case contains an affirmative finding under Article 42.0197, Code of Criminal Procedure [~~a member of a criminal street gang, as defined by Section 71.01~~].

SECTION 2.  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 governed by the law in effect on the date 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 3.  This Act takes effect September 1, 2021.