

By: Capriglione, Tinderholt, King of Parker,
White, Anchia

H.B. No. 1920

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the offense of possessing a weapon in a secured area of
3 an airport.

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

5 SECTION 1. Section 46.03(c)(3), Penal Code, is amended to
6 read as follows:

7 (3) "Secured area" means an area of an airport
8 terminal building to which access is controlled by the inspection
9 of persons and property under federal law, or an aircraft parking
10 area that is used by common carriers in air transportation but not
11 by general aviation and to which access is controlled under federal
12 law. The term does not include a baggage claim area, a motor
13 vehicle parking area used by passengers, employees, or persons
14 awaiting an arrival, or an area used by the public to pick up or drop
15 off passengers or employees.

16 SECTION 2. Section 46.03(e), Penal Code, is amended to read
17 as follows:

18 (e) It is a defense to prosecution under Subsection (a)(5)
19 that the actor:

20 (1) checked all firearms as baggage in accordance with
21 federal or state law or regulations before entering a secured area;
22 or

23 (2) was authorized by a federal agency or the airport
24 operator to possess a firearm in a secured area.

1 SECTION 3. The change in law made by this Act applies only
2 to an offense committed on or after the effective date of this Act.
3 An offense committed before the effective date of this Act is
4 governed by the law in effect on the date the offense was committed,
5 and the former law is continued in effect for that purpose. For
6 purposes of this section, an offense was committed before the
7 effective date of this Act if any element of the offense occurred
8 before that date.

9 SECTION 4. This Act takes effect September 1, 2021.