

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

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~~].

1 SECTION 2. 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 3. This Act takes effect September 1, 2021.