

By: Lucio

S.B. No. 893

A BILL TO BE ENTITLED

AN ACT

relating to the authorization of a license holder to carry a concealed handgun at a school or educational institution.

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

SECTION 1. Section 411.192, Government Code, is amended by amending Subsections (a) and (c) and adding Subsection (a-1) to read as follows:

(a) The department shall disclose ~~[to a criminal justice agency]~~ information contained in its files and records regarding whether a named individual or any individual named in a specified list is licensed under this subchapter to:

(1) a criminal justice agency; or

(2) a school district, open-enrollment charter school, or private school that requests verification under Section 411.210.

(a-1) Information on an individual subject to disclosure under this section includes the individual's name, date of birth, gender, race, zip code, telephone number, e-mail address, and Internet website address. Except as otherwise provided by this section and by Sections ~~[Section]~~ 411.193 and 411.210, all other records maintained under this subchapter are confidential and are not subject to mandatory disclosure under the open records law, Chapter 552.

(c) The department shall notify a license holder of any

1 request that is made for information relating to the license holder
2 under this section and provide the name of the entity [~~agency~~]
3 making the request.

4 SECTION 2. Subchapter H, Chapter 411, Government Code, is
5 amended by adding Section 411.210 to read as follows:

6 Sec. 411.210. VERIFICATION OF LICENSE BY SCHOOL DISTRICT.

7 (a) A school district, open-enrollment charter school, or private
8 school may request verification from the department that a person
9 holds a valid license to carry a handgun under this subchapter
10 before authorizing the person to carry a concealed handgun on
11 school premises, as provided by Section 46.03(a)(1)(A)(i), Penal
12 Code.

13 (b) As soon as practicable after receiving a request under
14 Subsection (a), the department shall provide at no cost:

15 (1) verification that the person holds a valid license
16 to carry a handgun under this subchapter; or

17 (2) notice that the person does not hold a valid
18 license to carry a handgun under this subchapter.

19 SECTION 3. Section 46.03(a), Penal Code, is amended to read
20 as follows:

21 (a) A person commits an offense if the person intentionally,
22 knowingly, or recklessly possesses or goes with a firearm,
23 location-restricted knife, club, or prohibited weapon listed in
24 Section 46.05(a):

25 (1) on the physical premises of a school or
26 educational institution, any grounds or building on which an
27 activity sponsored by a school or educational institution is being

1 conducted, or a passenger transportation vehicle of a school or
2 educational institution, whether the school or educational
3 institution is public or private, unless:

4 (A) pursuant to written regulations or written
5 authorization of the school or institution, the person possesses or
6 goes with:

7 (i) a concealed handgun that the person is
8 licensed to carry under Subchapter H, Chapter 411, Government Code;
9 or

10 (ii) any weapon to which this section
11 applies, other than a handgun; or

12 (B) the person possesses or goes with a concealed
13 handgun that the person is licensed to carry under Subchapter H,
14 Chapter 411, Government Code, and no other weapon to which this
15 section applies, on the premises of an institution of higher
16 education or private or independent institution of higher
17 education, on any grounds or building on which an activity
18 sponsored by the institution is being conducted, or in a passenger
19 transportation vehicle of the institution;

20 (2) on the premises of a polling place on the day of an
21 election or while early voting is in progress;

22 (3) on the premises of any government court or offices
23 utilized by the court, unless pursuant to written regulations or
24 written authorization of the court;

25 (4) on the premises of a racetrack;

26 (5) in or into a secured area of an airport; or

27 (6) within 1,000 feet of premises the location of

1 which is designated by the Texas Department of Criminal Justice as a
2 place of execution under Article 43.19, Code of Criminal Procedure,
3 on a day that a sentence of death is set to be imposed on the
4 designated premises and the person received notice that:

5 (A) going within 1,000 feet of the premises with
6 a weapon listed under this subsection was prohibited; or

7 (B) possessing a weapon listed under this
8 subsection within 1,000 feet of the premises was prohibited.

9 SECTION 4. The change in law made by this Act applies only
10 to an offense committed on or after the effective date of this Act.
11 An offense committed before the effective date of this Act is
12 governed by the law in effect on the date the offense was committed,
13 and the former law is continued in effect for that purpose. For
14 purposes of this section, an offense was committed before the
15 effective date of this Act if any element of the offense occurred
16 before that date.

17 SECTION 5. This Act takes effect September 1, 2021.