

BILL ANALYSIS

H.B. 2291
By: Slawson
Community Safety, Select
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Penal Code prescribes two offenses, the unlawful carrying of a weapon and possessing or going with a prohibited weapon in a place where weapons are prohibited, that restrict the ability of a person to legally carry a weapon. Certain individuals, such as active judicial officers, are exempt from the application of these offenses. However, these judicial officers are no longer exempt once they retire, despite facing the same threats to their safety as when they are active. H.B. 2291 seeks to allow judicial officers to continue to have the extra security of carrying a firearm under these exemptions, even after retirement.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2291 amends the Penal Code to exempt a handgun license holder who is a retired judicial officer or who retired after serving as an active judicial officer from the application of the offense of unlawful carrying of a weapon and the offense of possessing or going with certain weapons in places where weapons are prohibited. These exemptions apply only to an offense committed on or after the bill's effective date and the bill provides for the continuation of the law in effect before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date.

EFFECTIVE DATE

September 1, 2023.