

By: Schaefer

H.B. No. 192

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the possession of a weapon in certain locations of a  
3 government court.

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

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

7 (a) A person commits an offense if the person intentionally,  
8 knowingly, or recklessly possesses or goes with a firearm,  
9 location-restricted knife, club, or prohibited weapon listed in  
10 Section 46.05(a):

11 (1) on the physical premises of a school or  
12 educational institution, any grounds or building on which an  
13 activity sponsored by a school or educational institution is being  
14 conducted, or a passenger transportation vehicle of a school or  
15 educational institution, whether the school or educational  
16 institution is public or private, unless:

17 (A) pursuant to written regulations or written  
18 authorization of the institution; or

19 (B) the person possesses or goes with a concealed  
20 handgun that the person is licensed to carry under Subchapter H,  
21 Chapter 411, Government Code, and no other weapon to which this  
22 section applies, on the premises of an institution of higher  
23 education or private or independent institution of higher  
24 education, on any grounds or building on which an activity

1 sponsored by the institution is being conducted, or in a passenger  
2 transportation vehicle of the institution;

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

5 (3) [~~on the premises of any government court or~~  
6 ~~offices utilized by the court,~~] unless pursuant to written  
7 regulations or written authorization of the applicable government  
8 court, in:

9 (A) a courtroom or other room in which a judicial  
10 proceeding is being held;

11 (B) a jury room;

12 (C) a judge's chambers; or

13 (D) the office of a member of a judge's staff;

14 (4) on the premises of a racetrack;

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

16 (6) within 1,000 feet of premises the location of  
17 which is designated by the Texas Department of Criminal Justice as a  
18 place of execution under Article 43.19, Code of Criminal Procedure,  
19 on a day that a sentence of death is set to be imposed on the  
20 designated premises and the person received notice that:

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

23 (B) possessing a weapon listed under this  
24 subsection within 1,000 feet of the premises was prohibited;

25 (7) on the premises of a business that has a permit or  
26 license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic  
27 Beverage Code, if the business derives 51 percent or more of its

1 income from the sale or service of alcoholic beverages for  
2 on-premises consumption, as determined by the Texas Alcoholic  
3 Beverage Commission under Section 104.06, Alcoholic Beverage Code;

4 (8) on the premises where a high school, collegiate,  
5 or professional sporting event or interscholastic event is taking  
6 place, unless the person is a participant in the event and a  
7 firearm, location-restricted knife, club, or prohibited weapon  
8 listed in Section 46.05(a) is used in the event;

9 (9) on the premises of a correctional facility;

10 (10) on the premises of a civil commitment facility;

11 (11) on the premises of a hospital licensed under  
12 Chapter 241, Health and Safety Code, or on the premises of a nursing  
13 facility licensed under Chapter 242, Health and Safety Code, unless  
14 the person has written authorization of the hospital or nursing  
15 facility administration, as appropriate;

16 (12) on the premises of a mental hospital, as defined  
17 by Section 571.003, Health and Safety Code, unless the person has  
18 written authorization of the mental hospital administration;

19 (13) in an amusement park; or

20 (14) in the room or rooms where a meeting of a  
21 governmental entity is held, if the meeting is an open meeting  
22 subject to Chapter 551, Government Code, and if the entity provided  
23 notice as required by that chapter.

24 SECTION 2. The change in law made by this Act applies only  
25 to an offense committed on or after the effective date of this Act.  
26 An offense committed before the effective date of this Act is  
27 governed by the law in effect on the date the offense was committed,

1 and the former law is continued in effect for that purpose. For  
2 purposes of this section, an offense was committed before the  
3 effective date of this Act if any element of the offense was  
4 committed before that date.

5 SECTION 3. This Act takes effect September 1, 2023.