

By: Bernal

H.B. No. 244

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to limiting the locations where a person may carry a  
3 firearm other than a handgun in certain counties; creating a  
4 criminal offense.

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

6 SECTION 1. Section 46.02, Penal Code, is amended by adding  
7 Subsections (a-9) and (a-10) to read as follows:

8 (a-9) A person commits an offense if the person:

9 (1) intentionally, knowingly, or recklessly carries  
10 on or about his or her person a firearm other than a handgun;

11 (2) is in a county:

12 (A) with a population of more than 1 million; or

13 (B) with a population of more than 800,000 and is  
14 adjacent to only one other county located on an international  
15 border; and

16 (3) is not:

17 (A) on the person's own premises or premises  
18 under the person's control; or

19 (B) inside of or directly en route to a motor  
20 vehicle or watercraft that is owned by the person or under the  
21 person's control.

22 (a-10) It is a defense to prosecution under Subsection (a-9)  
23 that:

24 (1) the actor was on a premises owned by another or was

1 inside of or directly en route to a motor vehicle or watercraft that  
2 is owned by another;

3 (2) the owner of the premises, motor vehicle, or  
4 watercraft gave the actor verbal or written authorization to carry  
5 a firearm on the premises or in the motor vehicle or watercraft, as  
6 applicable;

7 (3) carrying or possessing a firearm other than a  
8 handgun on those premises or in the motor vehicle or watercraft is  
9 not otherwise prohibited under this chapter or other law; and

10 (4) the premises, vehicle, or watercraft is not open  
11 to or accessible by the public.

12 SECTION 2. The changes in law made by this Act apply only to  
13 an offense committed on or after the effective date of this Act. An  
14 offense committed before the effective date of this Act is governed  
15 by the law in effect on the date the offense was committed, and the  
16 former law is continued in effect for that purpose. For purposes of  
17 this section, an offense was committed before the effective date of  
18 this Act if any element of the offense occurred before that date.

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