

BILL ANALYSIS

H.B. 2215
By: LaHood
Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Law enforcement officers and members of the court, such as judges and district attorneys, can be targeted by the very same criminals they put away. Under current law, law enforcement officers and judges are exempt from certain offenses relating to the carrying or possession of a handgun while actively serving in that role and after they retire, subject to certain conditions. District attorneys licensed to carry a handgun are also exempt from those offenses, but only during active service and not after retirement. H.B. 2215 would add certain retired attorneys representing the state to the list of persons who are exempt from the applicable handgun offenses.

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. 2215 amends the Penal Code to exempt from the application of the offense of unlawful carrying of a weapon and the offense of possessing or going with certain weapons in a place where weapons are prohibited a person who is licensed to carry a handgun and who retired after serving as any of the following attorneys:

- the attorney general or assistant attorney general;
- a U.S. attorney or assistant U.S. attorney;
- a district attorney or assistant district attorney;
- a criminal district attorney or assistant criminal district attorney;
- a county attorney or assistant county attorney; or
- a municipal attorney.

H.B. 2215 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

EFFECTIVE DATE

September 1, 2025.