

By: LaHood, Lujan, Johnson, Pierson, Louderback, et al.

H.B. No. 2215

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the carrying or possession of a handgun by certain
3 retired attorneys representing the state.

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

5 SECTION 1. Section 46.15(a), Penal Code, as amended by
6 Chapters 501 (H.B. 2291), 765 (H.B. 4504), and 1077 (S.B. 599), Acts
7 of the 88th Legislature, Regular Session, 2023, is reenacted and
8 amended to read as follows:

9 (a) Sections 46.02 and 46.03 do not apply to:

10 (1) peace officers or special investigators under
11 Article 2A.002, Code of Criminal Procedure, and neither section
12 prohibits a peace officer or special investigator from carrying a
13 weapon in this state, including in an establishment in this state
14 serving the public, regardless of whether the peace officer or
15 special investigator is engaged in the actual discharge of the
16 officer's or investigator's duties while carrying the weapon;

17 (2) parole officers, and neither section prohibits an
18 officer from carrying a weapon in this state if the officer is:

19 (A) engaged in the actual discharge of the
20 officer's duties while carrying the weapon; and

21 (B) in compliance with policies and procedures
22 adopted by the Texas Department of Criminal Justice regarding the
23 possession of a weapon by an officer while on duty;

24 (3) community supervision and corrections department

1 officers appointed or employed under Section [76.004](#), Government
2 Code, and neither section prohibits an officer from carrying a
3 weapon in this state if the officer is:

4 (A) engaged in the actual discharge of the
5 officer's duties while carrying the weapon; and

6 (B) authorized to carry a weapon under Section
7 [76.0051](#), Government Code;

8 (4) an active or retired judicial officer as defined
9 by Section [411.201](#), Government Code, who is licensed to carry a
10 handgun under Subchapter [H](#), Chapter [411](#), Government Code;

11 (5) an honorably retired peace officer or other
12 qualified retired law enforcement officer, as defined by 18 U.S.C.
13 Section 926C, who holds a certificate of proficiency issued under
14 Section [1701.357](#), Occupations Code, and is carrying a photo
15 identification that is issued by a federal, state, or local law
16 enforcement agency, as applicable, and that verifies that the
17 officer is an honorably retired peace officer or other qualified
18 retired law enforcement officer;

19 (6) the attorney general or a United States attorney,
20 district attorney, criminal district attorney, county attorney, or
21 municipal attorney who is licensed to carry a handgun under
22 Subchapter [H](#), Chapter [411](#), Government Code;

23 (7) an assistant United States attorney, assistant
24 attorney general, assistant district attorney, assistant criminal
25 district attorney, or assistant county attorney who is licensed to
26 carry a handgun under Subchapter [H](#), Chapter [411](#), Government Code;

27 (8) a person who retired after serving as an attorney

1 described by Subdivision (6) or (7) and who is licensed to carry a
2 handgun under Subchapter H, Chapter 411, Government Code;

3 (9) a bailiff designated by an active judicial officer
4 as defined by Section 411.201, Government Code, who is:

5 (A) licensed to carry a handgun under Subchapter
6 H, Chapter 411, Government Code; and

7 (B) engaged in escorting the judicial officer;

8 (10) [(-9)] a juvenile probation officer who is
9 authorized to carry a firearm under Section 142.006, Human
10 Resources Code;

11 (11) [(-10)] a person who is volunteer emergency
12 services personnel if the person is:

13 (A) carrying a handgun under the authority of
14 Subchapter H, Chapter 411, Government Code; and

15 (B) engaged in providing emergency services;

16 [ex]

17 (12) [(-11)] a person who:

18 (A) retired after serving as a judge or justice
19 described by Section 411.201(a)(1), Government Code; and

20 (B) is licensed to carry a handgun under
21 Subchapter H, Chapter 411, Government Code; or

22 (13) [(-11)] a district or county clerk who is carrying
23 a handgun the clerk is licensed to carry under Subchapter H, Chapter
24 411, Government Code.

25 SECTION 2. The change in law made by this Act applies only
26 to an offense committed on or after the effective date of this Act.

27 An offense committed before the effective date of this Act is

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

6 SECTION 3. To the extent of any conflict, this Act prevails
7 over another Act of the 89th Legislature, Regular Session, 2025,
8 relating to nonsubstantive additions to and corrections in enacted
9 codes.

10 SECTION 4. This Act takes effect September 1, 2025.