

BILL ANALYSIS

C.S.H.B. 1503
By: Lucio III
Law Enforcement
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under Texas Penal Code Sections 46.02 and 46.03, it is unlawful in Texas if a person intentionally, knowingly, or recklessly carries a handgun in public. Areas where handguns are even prohibited for individuals with a concealed handgun license include, but are not limited to the premises of a polling place, government courts, a racetrack, and secured areas of airports.

Under current law, certain individuals are exempted from these provisions under Penal Code Section 46.15 and are allowed to carry a concealed handgun so long as they are properly licensed.

C.S.H.B. 1503 would add certain assistant district attorneys, assistant criminal district attorneys, and assistant county attorneys to this exemption.

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

C.S.H.B. 1503 amends Section 46.15 of the Penal Code to provide that Penal Code Sections 46.02 and 46.03 also do not apply to assistant district attorneys, assistant criminal district attorneys, and assistant county attorneys who are licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code and who are either a felony prosecutor or who have at least two years' experience as a prosecutor.

EFFECTIVE DATE

September 1, 2007

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original in that the substitute contains additional requirements for an assistant district attorney, assistant criminal district attorney, or assistant county attorney to be exempt from Penal Code Sections 46.02 and 46.03.