

1-1 By: Lucio III (Senate Sponsor - Hinojosa) H.B. No. 1503
1-2 (In the Senate - Received from the House May 11, 2007;
1-3 May 15, 2007, read first time and referred to Committee on Criminal
1-4 Justice; May 19, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 May 19, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1503 By: Hinojosa

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to allowing certain assistant district and county
1-11 attorneys to carry weapons.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 46.15(a), Penal Code, is amended to read
1-14 as follows:

1-15 (a) Sections 46.02 and 46.03 do not apply to:

1-16 (1) peace officers or special investigators under
1-17 Article 2.122, Code of Criminal Procedure, and neither section
1-18 prohibits a peace officer or special investigator from carrying a
1-19 weapon in this state, including in an establishment in this state
1-20 serving the public, regardless of whether the peace officer or
1-21 special investigator is engaged in the actual discharge of the
1-22 officer's or investigator's duties while carrying the weapon;

1-23 (2) parole officers and neither section prohibits an
1-24 officer from carrying a weapon in this state if the officer is:

1-25 (A) engaged in the actual discharge of the
1-26 officer's duties while carrying the weapon; and

1-27 (B) in compliance with policies and procedures
1-28 adopted by the Texas Department of Criminal Justice regarding the
1-29 possession of a weapon by an officer while on duty;

1-30 (3) community supervision and corrections department
1-31 officers appointed or employed under Section 76.004, Government
1-32 Code, and neither section prohibits an officer from carrying a
1-33 weapon in this state if the officer is:

1-34 (A) engaged in the actual discharge of the
1-35 officer's duties while carrying the weapon; and

1-36 (B) authorized to carry a weapon under Section
1-37 76.0051, Government Code;

1-38 (4) a judge or justice of a federal court, the supreme
1-39 court, the court of criminal appeals, a court of appeals, a district
1-40 court, a criminal district court, a constitutional county court, a
1-41 statutory county court, a justice court, or a municipal court who is
1-42 licensed to carry a concealed handgun under Subchapter H, Chapter
1-43 411, Government Code;

1-44 (5) an honorably retired peace officer or federal
1-45 criminal investigator who holds a certificate of proficiency issued
1-46 under Section 1701.357, Occupations Code, and is carrying a photo
1-47 identification that:

1-48 (A) verifies that the officer honorably retired
1-49 after not less than 15 years of service as a commissioned officer;
1-50 and

1-51 (B) is issued by a state or local law enforcement
1-52 agency; ~~or~~

1-53 (6) a district attorney, criminal district attorney,
1-54 or county attorney who is licensed to carry a concealed handgun
1-55 under Subchapter H, Chapter 411, Government Code; or

1-56 (7) an assistant district attorney, assistant
1-57 criminal district attorney, or assistant county attorney who is
1-58 licensed to carry a concealed handgun under Subchapter H, Chapter
1-59 411, Government Code.

1-60 SECTION 2. This Act applies only to an offense committed on
1-61 or after the effective date of this Act. An offense committed
1-62 before the effective date of this Act is covered by the law in
1-63 effect at the time the offense was committed, and the former law is

2-1 continued in effect for that purpose. For purposes of this section,
2-2 an offense was committed before the effective date of this Act if
2-3 any element of the offense was committed before that date.
2-4 SECTION 3. This Act takes effect September 1, 2007.

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