

1-1 By: Springer, et al. (Senate Sponsor - Creighton) H.B. No. 554  
 1-2 (In the Senate - Received from the House May 11, 2015;  
 1-3 May 13, 2015, read first time and referred to Committee on State  
 1-4 Affairs; May 21, 2015, reported favorably by the following vote:  
 1-5 Yeas 9, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to a defense to prosecution for the offense of possessing  
 1-20 or carrying a weapon in or into the secured area of an airport.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 46.03, Penal Code, is amended by adding  
 1-23 Subsections (e-1) and (e-2) and amending Subsection (f) to read as  
 1-24 follows:

1-25 (e-1) It is a defense to prosecution under Subsection (a)(5)  
 1-26 that the actor:

1-27 (1) possessed, at the screening checkpoint for the  
 1-28 secured area, a concealed handgun that the actor was licensed to  
 1-29 carry under Subchapter H, Chapter 411, Government Code; and

1-30 (2) exited the screening checkpoint for the secured  
 1-31 area immediately upon notification that the actor possessed the  
 1-32 handgun.

1-33 (e-2) A peace officer investigating conduct that may  
 1-34 constitute an offense under Subsection (a)(5) and that consists  
 1-35 only of an actor's possession of a concealed handgun that the actor  
 1-36 is licensed to carry under Subchapter H, Chapter 411, Government  
 1-37 Code, may not arrest the actor for the offense unless:

1-38 (1) the officer advises the actor of the defense  
 1-39 available under Subsection (e-1) and gives the actor an opportunity  
 1-40 to exit the screening checkpoint for the secured area; and

1-41 (2) the actor does not immediately exit the  
 1-42 checkpoint.

1-43 (f) Except as provided by Subsection (e-1), it [~~It~~] is not a  
 1-44 defense to prosecution under this section that the actor possessed  
 1-45 a handgun and was licensed to carry a concealed handgun under  
 1-46 Subchapter H, Chapter 411, Government Code.

1-47 SECTION 2. The change in law made by this Act applies only  
 1-48 to an offense committed on or after the effective date of this Act.  
 1-49 An offense committed before the effective date of this Act is  
 1-50 governed by the law in effect on the date the offense was committed,  
 1-51 and the former law is continued in effect for that purpose. For  
 1-52 purposes of this section, an offense was committed before the  
 1-53 effective date of this Act if any element of the offense occurred  
 1-54 before that date.

1-55 SECTION 3. This Act takes effect September 1, 2015.

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