

BILL ANALYSIS

Senate Research Center
77R9998 JAT-F

C.S.S.B. 1713
By: Van de Putte
Criminal Justice
4/19/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, peace officers and concealed carry permit holders have different authority in carrying a weapon. Establishments serving the public are often confused by the current law that distinguishes between a peace officer and a concealed carry permit holder. C.S.S.B. 1713 clarifies current law to specifically state that peace officers and special investigators have the authority to carry weapons into any public place.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 46.15(a), Penal Code, to provide that Sections 46.02 and 46.03 do not apply to peace officers, including commissioned peace officers of another state, or special investigators under Article 2.122 (Special Investigators), Code of Criminal Procedure, and neither section prohibits a peace officer or special investigator from carrying a weapon in this state, including in an establishment in this state serving the public, regardless of whether the peace officer or special investigator is engaged in the actual discharge of the officer's or investigator's duties while carrying the weapon.

SECTION 2. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from As Filed version by adding new language for clarity.