

BILL ANALYSIS

Senate Research Center
77R2374 JMC-D

S.B. 483
By: Duncan
Criminal Justice
2/15/2001
Committee Report (Amended)

DIGEST AND PURPOSE

Under current Texas law, a sheriff is required to complete the initial requirements to carry a handgun upon retirement in order to continue carrying a handgun. As proposed, S.B. 483 provides for a retired sheriff who meets certain criteria to be able to continue carrying a handgun after the sheriff's retirement.

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, Penal Code, by adding Subsection (f), as follows:

(f) Provides that the provision of Section 46.02 prohibiting the carrying of a handgun does not apply to a person who is an honorably retired sheriff. Defines "honorably retired" in this subsection.

SECTION 2. Amends Chapter 411H, Government Code, by adding Section 411.1992, as follows:

Sec. 411.1992. WEAPONS PROFICIENCY TESTS FOR CERTAIN RETIRED SHERIFFS. Requires the Texas Department of Public Safety (department) to allow a retired sheriff who may be eligible to carry a handgun under Section 46.15(f), Penal Code, a reasonable opportunity to demonstrate the required weapons proficiency to the department's firearms proficiency officer under Section 1701.355 (Continuing Demonstration of Weapons Proficiency), Occupation Code.

SECTION 3. Provides that individuals covered under this Act are not exempted from Chapter 1702 (Private Investigators and Private Security Agencies), Occupations Code.

SECTION 4. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Committee Amendment No. 1.

Adds a new SECTION 3 pertaining to private investigators and private security agencies. Redesignates previous SECTION 3 to SECTION 4.