

BILL ANALYSIS

Senate Research Center

C.S.H.B. 2110
By: Berman (Eltife)
Criminal Justice
5/19/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The Penal Code currently contains a "nonapplicability" section, the effect of which allows certain persons, including judges and peace officers, to carry a concealed handgun into prohibited places. H.B. 2110 amends the Penal Code to add district attorneys, criminal district attorneys, and county attorneys, and includes a judge of federal court to the nonapplicability section, as long as they have a concealed carry license.

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 amending Subsection (a) and adding Subsection (i), as follows:

- (a) Provides that Sections 46.02 (Unlawful Carrying Weapons) and 46.03 (Place Weapons Prohibited) do not apply to certain officers, district attorneys, criminal district attorneys, or county attorneys, and includes a judge or justice of a federal court.

SECTION 2. Makes application of this Act prospective. Provides that, for purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION 3. Effective date: September 1, 2005.