

## **BILL ANALYSIS**

Senate Research Center  
80R4108 JPL-D

H.B. 964  
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Criminal Justice  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law relating to the carrying of a weapon includes numerous provisions outlining when a gun owner may legally carry a gun. However, current law does not specifically name law enforcement students in these provisions.

The omission of law enforcement students from the code has led to the occasional detainment of these students by local law enforcement officers. This detainment is both unnecessary and unfortunate.

H.B. 964 provides that law enforcement students may legally carry an unloaded weapon while traveling to and from a law enforcement class (such as target practice) and ensures that the law regarding law enforcement students carrying weapons, within the context of their required coursework, is unambiguous.

### **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. Reenacts and amends Section 46.15(b), Penal Code, as amended by Chapters 1221 and 1261, Acts of the 75th Legislature, Regular Session, 1997, by providing that Section 46.02, Penal Code, does not apply to a certain person, including a person who holds a security officer commission issued by the Texas Private Security Board; a person carrying a concealed handgun and valid license issued under Subchapter H (License to Carry a Concealed Hand Gun), Chapter 411, Government Code, rather than Article 4413(29ee) (License to Carry a Concealed Handgun), Revised Statutes, to carry a concealed handgun of the same category as the handgun the person is carrying; a person who holds a security officer commission and personal protection officer authorization issued by the Texas Private Security Board and is providing personal protection under Chapter 1702 (Private Security), Occupations Code; or a person who is a student in a law enforcement class engaging in an activity required as part of the class, if the weapon is a type commonly used in the activity and the person is on the immediate premises where the activity or is en route between those premises and the person's residence and is carrying the weapon. Deletes existing text relating to the Board of Private Investigators. Makes a conforming change. Deletes existing text relating to a certain Private Investigators and Private Security Agencies Act.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.