

BILL ANALYSIS

C.S.H.B. 3016
By: Schaefer
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that handgun license holders are permitted to carry a handgun on their person when in a motor vehicle but are subject to prosecution if the handgun is visible in the motor vehicle but not on their person. C.S.H.B. 3016 seeks to close this loophole.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3016 amends the Penal Code to include as an exception to the application of the offense of unlawful carrying of handgun by license holder in plain view of another person in a public place that a handgun was in a holster and the handgun and license holder were in a motor vehicle. The bill applies only to an offense committed on or after January 1, 2020.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3016 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.