

## **BILL ANALYSIS**

Senate Research Center  
77R964 JMC-D

S.B. 118  
By: Wentworth  
Jurisprudence  
1/22/2001  
As Filed

### **DIGEST AND PURPOSE**

Under current Texas law, certain judges are allowed to carry a weapon in this state while engaged in the discharge of their judicial duties. As proposed, S. B. 118 removes the requirement that those judges possess a license to carry a concealed handgun in order to carry a weapon and allows them to carry a weapon regardless of whether they are engaged in the actual discharge of their duties while carrying the weapon.

### **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) (relating to nonapplicability), Penal Code, to provide that Sections 46.02 and 46.03 do not prohibit a judge or justice of the supreme court, the court of criminal appeals, a court of appeals, a district court, a criminal district court, a constitutional county court, a statutory county court, a justice court, or a municipal court, from carrying a weapon in this state, regardless of whether the judge or justice is engaged in the actual discharge of duties while carrying the weapon. Deletes language regarding a license to carry a concealed handgun under Chapter 411H (Department of Public Safety of the State of Texas), Government Code.

SECTION 2. Effective date: September 1, 2001.  
Makes application of this Act prospective.