

## **BILL ANALYSIS**

Senate Research Center  
80R12687 JPL-F

C.S.S.B. 1709  
By: Hegar  
Criminal Justice  
4/18/2007  
Committee Report (Substituted)

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

Under current law, peace officers are not authorized to disarm persons licensed to carry concealed handguns (CHL holders) entering the nonpublic, secure areas of a law enforcement agency. An example of such an area is the interrogation area, where peace officers are not permitted to carry firearms. Providing such authority may provide safer and more secure law enforcement facilities for peace officers.

C.S.S.B. 1709 authorizes peace officers to temporarily disarm CHL holders who are entering a nonpublic, secure portion of a law enforcement facility, provided that the facility has gun lockers to secure handguns. This bill requires those peace officers to return the handgun to the license holder immediately after the person leaves the nonpublic, secure portion of the facility and requires the law enforcement facility to prominently display a sign giving notice of this law in English and Spanish at each entrance to the facility.

### **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 411.207, Government Code, as follows:

411.207. AUTHORITY OF PEACE OFFICER TO DISARM. (a) Creates this subsection from existing text.

(b) Authorizes a peace officer who is acting in the lawful discharge of the officer's official duties to temporarily disarm a concealed handgun license holder when that person enters a nonpublic, secure portion of a law enforcement facility, if the law enforcement agency provides a gun locker where the peace officer can secure the license holder's handgun. Requires the peace officer to secure the handgun in the locker and return the handgun to the license holder immediately after the license holder leaves the nonpublic, secure portion of the law enforcement facility.

(c) Requires a law enforcement facility to prominently display at each nonpublic, secure portion of the facility a sign that gives notice in both English and Spanish that a peace officer is authorized to temporarily disarm a license holder when the license holder enters that portion of the facility. Requires the sign to appear in contrasting colors with block letters at least one inch in height. Provides the manner in which the sign is required to be displayed.

(d) Defines "law enforcement facility" and "nonpublic, secure portion of a law enforcement facility."

SECTION 2. Effective date: September 1, 2007.