

AN ACT

relating to the intentional display of a handgun by a person  
licensed to carry a concealed handgun.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsections (a) and (h), Section 46.035, Penal  
Code, are amended to read as follows:

(a) A license holder commits an offense if the license  
holder carries a handgun on or about the license holder's person  
under the authority of Subchapter H, Chapter 411, Government Code,  
and intentionally displays [~~fails to conceal~~] the handgun in plain  
view of another person in a public place.

(h) It is a defense to prosecution under Subsection (a) that  
the actor, at the time of the commission of the offense, displayed  
the handgun under circumstances in which the actor would have been  
justified in the use of force or deadly force under Chapter 9.

SECTION 2. The change in law made by this Act applies only to  
an offense committed on or after the effective date of this Act. An  
offense committed before the effective date of this Act is governed  
by the law in effect on the date the offense was committed, and the  
former law is continued in effect for that purpose. For purposes of  
this section, an offense was committed before the effective date of  
this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2013.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 299 passed the Senate on April 4, 2013, by the following vote: Yeas 28, Nays 2.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 299 passed the House on May 6, 2013, by the following vote: Yeas 140, Nays 6, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor