

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 18, 2015**

**TO:** Honorable Larry Phillips, Chair, House Committee on Homeland Security & Public Safety

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB226** by Guillen (Relating to certain offenses relating to carrying concealed handguns on property owned or leased by a governmental entity; providing a civil penalty.),  
**Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

The bill would prevent a state agency or political subdivision from communicating to a concealed handgun license holder carrying a handgun that he or she is prohibited from carrying a handgun on the premises if such conduct is not prohibited by Section 46.03 or 46.035, Penal Code.

The bill would also provide for civil penalties of \$1,000 to \$1,500 for a first offense and \$10,000 to \$10,500 for subsequent violations. Each day of a continuing violation would be a separate violation.

The bill would require the attorney general to investigate a complaint on behalf of a citizen of this state or an individual licensed to carry a concealed handgun if the individual, after taking certain actions, requests and presents evidence that his or her right to carry a concealed handgun was violated under this section. The attorney general or appropriate county or district attorney would be permitted to sue the responsible state agency or subdivision. After recovering reasonable expenses incurred by the attorney general, any civil penalty collected under this section would be deposited to the credit of the compensation to victims of crime fund.

The Office of the Attorney General (OAG) reported that the bill would have a positive fiscal impact on the victims of crime fund; however OAG does not anticipate that this revenue would be significant. OAG reports any legal work or costs associated with the bill would be absorbed within existing resources.

**Local Government Impact**

A local government would be accountable for the civil penalties established by the bill; however, these costs would depend on the number of cases, if any, and would only apply in the event of noncompliance.

**Source Agencies:** 302 Office of the Attorney General

**LBB Staff:** UP, ESi, EP, EK, TBo, KKR