

1-1 By: Murr, et al. (Senate Sponsor - Nichols) H.B. No. 14
1-2 (In the Senate - Received from the House May 5, 2017;
1-3 May 5, 2017, read first time and referred to Committee on State
1-4 Affairs; May 18, 2017, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 18, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Estes	X		
1-13	Lucio	X		
1-14	Nelson	X		
1-15	Schwertner	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the carrying of handguns by license holders on the
1-20 property of state hospitals; providing a civil penalty.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Section 411.209, Government Code,
1-23 is amended to read as follows:

1-24 Sec. 411.209. WRONGFUL EXCLUSION OF [~~CONCEALED~~] HANDGUN
1-25 LICENSE HOLDER.

1-26 SECTION 2. Section 411.209, Government Code, is amended by
1-27 amending Subsections (a) and (d) and adding Subsection (i) to read
1-28 as follows:

1-29 (a) Except as provided by Subsection (i), a [A] state agency
1-30 or a political subdivision of the state may not provide notice by a
1-31 communication described by Section 30.06, Penal Code, or by any
1-32 sign expressly referring to that law or to a [~~concealed handgun~~]
1-33 license to carry a handgun, that a license holder carrying a handgun
1-34 under the authority of this subchapter is prohibited from entering
1-35 or remaining on a premises or other place owned or leased by the
1-36 governmental entity unless license holders are prohibited from
1-37 carrying a handgun on the premises or other place by Section 46.03
1-38 or 46.035, Penal Code.

1-39 (d) A resident [~~citizen~~] of this state or a person licensed
1-40 to carry a [~~concealed~~] handgun under this subchapter may file a
1-41 complaint with the attorney general that a state agency or
1-42 political subdivision is in violation of Subsection (a) if the
1-43 resident [~~citizen~~] or person provides the agency or subdivision a
1-44 written notice that describes the violation and specific location
1-45 of the sign found to be in violation and the agency or subdivision
1-46 does not cure the violation before the end of the third business day
1-47 after the date of receiving the written notice. A complaint filed
1-48 under this subsection must include evidence of the violation and a
1-49 copy of the written notice.

1-50 (i) Subsection (a) does not apply to a written notice
1-51 provided by a state hospital under Section 552.002, Health and
1-52 Safety Code.

1-53 SECTION 3. Subchapter A, Chapter 552, Health and Safety
1-54 Code, is amended by adding Section 552.002 to read as follows:

1-55 Sec. 552.002. CARRYING OF HANDGUN BY LICENSE HOLDER IN
1-56 STATE HOSPITAL. (a) In this section:

1-57 (1) "License holder" has the meaning assigned by
1-58 Section 46.035(f), Penal Code.

1-59 (2) "State hospital" means the following facilities:

1-60 (A) the Austin State Hospital;

1-61 (B) the Big Spring State Hospital;

- 2-1 (C) the El Paso Psychiatric Center;
- 2-2 (D) the Kerrville State Hospital;
- 2-3 (E) the North Texas State Hospital;
- 2-4 (F) the Rio Grande State Center;
- 2-5 (G) the Rusk State Hospital;
- 2-6 (H) the San Antonio State Hospital;
- 2-7 (I) the Terrell State Hospital; and
- 2-8 (J) the Waco Center for Youth.

2-9 (3) "Written notice" means a sign that is posted on
 2-10 property and that:

2-11 (A) includes in both English and Spanish written
 2-12 language identical to the following: "Pursuant to Section 552.002,
 2-13 Health and Safety Code (carrying of handgun by license holder in
 2-14 state hospital), a person licensed under Subchapter H, Chapter 411,
 2-15 Government Code (handgun licensing law), may not enter this
 2-16 property with a handgun";

2-17 (B) appears in contrasting colors with block
 2-18 letters at least one inch in height; and

2-19 (C) is displayed in a conspicuous manner clearly
 2-20 visible to the public at each entrance to the property.

2-21 (b) A state hospital may prohibit a license holder from
 2-22 carrying a handgun under the authority of Subchapter H, Chapter
 2-23 411, Government Code, on the property of the hospital by providing
 2-24 written notice.

2-25 (c) A license holder who carries a handgun under the
 2-26 authority of Subchapter H, Chapter 411, Government Code, on the
 2-27 property of a state hospital at which written notice is provided is
 2-28 liable for a civil penalty in the amount of:

2-29 (1) \$100 for the first violation; or

2-30 (2) \$500 for the second or subsequent violation.

2-31 (d) The attorney general or an appropriate prosecuting
 2-32 attorney may sue to collect a civil penalty under this section.

2-33 SECTION 4. The change in law made by this Act applies only
 2-34 to conduct that occurs on or after the effective date of this Act.

2-35 SECTION 5. This Act takes effect September 1, 2017.

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