

1-1 By: Campbell, et al. S.B. No. 20
 1-2 (In the Senate - Filed March 12, 2021; March 18, 2021, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 9, 2021, reported favorably by the following vote: Yeas 7,
 1-5 Nays 0; April 9, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	

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

1-19 relating to carrying and storing a handgun or handgun ammunition by
 1-20 a hotel guest.

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

1-22 SECTION 1. The heading to Subchapter C, Chapter 2155,
 1-23 Occupations Code, is amended to read as follows:

1-24 SUBCHAPTER C. FIREARMS POLICY [NOTICE]

1-25 SECTION 2. Section 2155.101, Occupations Code, is amended
 1-26 to read as follows:

1-27 Sec. 2155.101. DEFINITION. In this subchapter, "hotel"
 1-28 means a hotel, motel, inn, or similar business entity that offers
 1-29 more than 10 rooms to the public for temporary lodging for a fee
 1-30 ~~[has the meaning assigned by Section 156.001, Tax Code].~~

1-31 SECTION 3. Subchapter C, Chapter 2155, Occupations Code, is
 1-32 amended by adding Section 2155.1025 to read as follows:

1-33 Sec. 2155.1025. APPLICABILITY OF FIREARMS POLICY TO
 1-34 HANDGUNS. (a) Unless possession of a handgun or handgun ammunition
 1-35 on hotel property is prohibited by state or federal law, a hotel may
 1-36 not adopt a firearms policy described by Section 2155.102
 1-37 prohibiting a hotel guest from:

1-38 (1) carrying or storing a handgun or handgun
 1-39 ammunition in the guest's hotel room;

1-40 (2) carrying a handgun or handgun ammunition directly
 1-41 en route to or from the hotel or the guest's hotel room;

1-42 (3) carrying a handgun or handgun ammunition directly
 1-43 en route to or from the guest's vehicle located on the hotel
 1-44 property, including a vehicle in a parking area provided for hotel
 1-45 guests; or

1-46 (4) carrying or storing a handgun or handgun
 1-47 ammunition in the guest's vehicle located on the hotel property,
 1-48 including a vehicle in a parking area provided for hotel guests.

1-49 (b) A hotel may adopt a firearms policy requiring a hotel
 1-50 guest carrying a handgun or handgun ammunition in a common area on
 1-51 the hotel property to:

1-52 (1) carry a handgun in a concealed manner; or

1-53 (2) carry handgun ammunition in a case or bag.

1-54 SECTION 4. Section 30.05, Penal Code, is amended by adding
 1-55 Subsection (f-4) to read as follows:

1-56 (f-4) It is a defense to prosecution under this section
 1-57 that:

1-58 (1) the conduct occurred on hotel property, and the
 1-59 basis on which entry on that property was forbidden is that entry
 1-60 with a firearm or firearm ammunition was forbidden;

1-61 (2) the actor is a guest of a hotel, as defined by

2-1 Section 2155.101, Occupations Code; and
 2-2 (3) the actor:
 2-3 (A) carries or stores a handgun or handgun
 2-4 ammunition in the actor's hotel room;
 2-5 (B) carries a handgun or handgun ammunition
 2-6 directly en route to or from the hotel or the actor's hotel room;
 2-7 (C) carries a handgun or handgun ammunition
 2-8 directly en route to or from the actor's vehicle located on the
 2-9 hotel property, including a vehicle in a parking area provided for
 2-10 hotel guests; or
 2-11 (D) carries or stores a handgun or handgun
 2-12 ammunition in the actor's vehicle located on the hotel property,
 2-13 including a vehicle in a parking area provided for hotel guests.

2-14 SECTION 5. Section 30.06, Penal Code, is amended by adding
 2-15 Subsection (e-4) to read as follows:

2-16 (e-4) It is a defense to prosecution under this section that
 2-17 the license holder is a guest of a hotel, as defined by Section
 2-18 2155.101, Occupations Code, and the license holder:

2-19 (1) carries or stores a handgun in the license holder's
 2-20 hotel room;

2-21 (2) carries a handgun directly en route to or from the
 2-22 hotel or the license holder's hotel room;

2-23 (3) carries a handgun directly en route to or from the
 2-24 license holder's vehicle located on the hotel property, including a
 2-25 vehicle in a parking area provided for hotel guests; or

2-26 (4) carries or stores a handgun in the license holder's
 2-27 vehicle located on the hotel property, including a vehicle in a
 2-28 parking area provided for hotel guests.

2-29 SECTION 6. Section 30.07, Penal Code, is amended by adding
 2-30 Subsection (e-4) to read as follows:

2-31 (e-4) It is a defense to prosecution under this section that
 2-32 the license holder is a guest of a hotel, as defined by Section
 2-33 2155.101, Occupations Code, and the license holder:

2-34 (1) carries or stores a handgun in the license holder's
 2-35 hotel room;

2-36 (2) carries a handgun directly en route to or from the
 2-37 hotel or the license holder's hotel room;

2-38 (3) carries a handgun directly en route to or from the
 2-39 license holder's vehicle located on the hotel property, including a
 2-40 vehicle in a parking area provided for hotel guests; or

2-41 (4) carries or stores a handgun in the license holder's
 2-42 vehicle located on the hotel property, including a vehicle in a
 2-43 parking area provided for hotel guests.

2-44 SECTION 7. Sections 30.05, 30.06, and 30.07, Penal Code, as
 2-45 amended by this Act, apply only to an offense committed on or after
 2-46 the effective date of this Act. An offense committed before the
 2-47 effective date of this Act is governed by the law in effect on the
 2-48 date the offense was committed, and the former law is continued in
 2-49 effect for that purpose. For purposes of this section, an offense
 2-50 was committed before the effective date of this Act if any element
 2-51 of the offense occurred before that date.

2-52 SECTION 8. This Act takes effect September 1, 2021.

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