

By: Schaefer

H.B. No. 3717

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the criminal penalty for a person who carries a
3 concealed weapon into a prohibited area; creating a criminal
4 offense; providing penalties.

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

6 SECTION 1. Section 30.06(a), Penal Code, is amended to read
7 as follows:

8 (a) A license holder commits an offense if the license
9 holder intentionally and knowingly:

10 (1) carries a handgun under the authority of
11 Subchapter H, Chapter 411, Government Code, on property of another
12 without effective consent; and

13 (2) received notice that:

14 (A) entry on the property by a license holder
15 with a concealed handgun was forbidden; ~~or~~

16 ~~(B) remaining on the property with a concealed
17 handgun was forbidden and failed to depart.~~

18 (b) For purposes of this section, a person receives notice
19 if the owner of the property or someone with apparent authority to
20 act for the owner provides notice to the person by oral or written
21 communication.

22 (c) In this section:

23 (1) "Entry" has the meaning assigned by Section
24 30.05(b).

1 (2) "License holder" has the meaning assigned by
2 Section 46.035(f).

3 (3) "Written communication" means:

4 (A) a card or other document on which is written
5 language identical to the following: "Pursuant to Section 30.06,
6 Penal Code (trespass by holder of license to carry a concealed
7 handgun), a person licensed under Subchapter H, Chapter 411,
8 Government Code (concealed handgun law), may not enter this
9 property with a concealed handgun"; or

10 (B) a sign posted on the property that:

11 (i) includes the language described by
12 Paragraph (A) in both English and Spanish;

13 (ii) appears in contrasting colors with
14 block letters at least one inch in height; and

15 (iii) is displayed in a conspicuous manner
16 clearly visible to the public.

17 (d) An offense under this section is a:

18 (1) Class ~~A~~ C misdemeanor punishable by a fine not to
19 exceed \$200.00.

20 (2) Class A misdemeanor if oral notice was given by the
21 owner of the property or someone with apparent authority to act for
22 the owner and the license holder failed to depart.

23 SECTION 2. This Act takes effect September 1, 2015.