

By: Isaac

H.B. No. 3866

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality to impose certain requirements for gun show promoters who lease municipal facilities.

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

SECTION 1. Subchapter A, Chapter 229, Local Government Code, is amended by adding Section 229.005 to read as follows:

Sec. 229.005. CERTAIN REQUIREMENTS FOR GUN SHOW PROMOTERS PROHIBITED IN MUNICIPAL LEASE AGREEMENTS. (a) In this section:

(1) "Firearm" has the meaning assigned by Section 46.01, Penal Code.

(2) "Gun show" means a temporary event held at a public facility at which three or more individuals assemble to display and sell firearms or firearm components to the public.

(3) "Gun show promoter" means a person who organizes, plans, promotes, or operates a gun show.

(b) Notwithstanding any other law, a municipality that leases a public facility to persons for short-term use for shows, exhibits, or similar purposes may not:

(1) refuse to lease the facility to a gun show promoter for the purpose of conducting a gun show;

(2) charge a fee to a gun show promoter that is more than the lowest fee charged to a person to lease the facility for a purpose other than a gun show;

(3) charge any additional fees, service charges, or

1 taxes to a gun show promoter that the municipality does not charge
2 to a person that leases the facility for a purpose other than a gun
3 show; or

4 (4) impose any terms, conditions, or requirements on a
5 gun show promoter that are not imposed on a person that leases the
6 facility for a purpose other than a gun show.

7 (c) Notwithstanding any other law, if a municipality leases
8 a public facility to a gun show promoter for a gun show, the
9 municipality may not include or enforce a provision in the lease
10 agreement with the gun show promoter that imposes a condition or
11 restriction on the transfer or sale of a firearm at the gun show
12 that is not required by federal or state law.

13 SECTION 2. Section 229.005(c), Local Government Code, as
14 added by this Act, applies only to a lease agreement entered into on
15 or after the effective date of this Act.

16 SECTION 3. This Act takes effect September 1, 2015.