

By: Anchia

H.B. No. 234

A BILL TO BE ENTITLED

AN ACT

1
2 relating to wrongful exclusion of handgun license holders from
3 property owned by or leased to a governmental entity and to certain
4 offenses relating to the carrying of handguns on that property.

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

6 SECTION 1. The heading to Section 411.209, Government Code,
7 is amended to read as follows:

8 Sec. 411.209. WRONGFUL EXCLUSION OF [~~CONCEALED~~] HANDGUN
9 LICENSE HOLDER.

10 SECTION 2. Sections 411.209(a) and (d), Government Code,
11 are amended to read as follows:

12 (a) A state agency or a political subdivision of the state
13 may not provide notice by a communication described by Section
14 30.06 or 30.07, Penal Code, or by any sign expressly referring to
15 either of those provisions [~~that law~~] or to a [~~concealed handgun~~]
16 license to carry a handgun, that a license holder carrying a handgun
17 under the authority of this subchapter is prohibited from entering
18 or remaining on a premises or other place owned and occupied by the
19 governmental entity or leased to and occupied by the governmental
20 entity unless license holders are prohibited from carrying a
21 handgun on the premises or other place by Section 46.03 or 46.035,
22 Penal Code.

23 (d) A resident [~~citizen~~] of this state or a person licensed
24 to carry a [~~concealed~~] handgun under this subchapter may file a

1 complaint with the attorney general that a state agency or
2 political subdivision is in violation of Subsection (a) if the
3 resident [~~citizen~~] or person provides the agency or subdivision a
4 written notice that describes the violation and specific location
5 of the sign found to be in violation and the agency or subdivision
6 does not cure the violation before the end of the third business day
7 after the date of receiving the written notice. A complaint filed
8 under this subsection must include evidence of the violation and a
9 copy of the written notice.

10 SECTION 3. Section 30.06(e), Penal Code, is amended to read
11 as follows:

12 (e) It is an exception to the application of this section
13 that the property on which the license holder carries a handgun:

14 (1) is owned and occupied [~~or leased~~] by a
15 governmental entity or leased to and occupied by a governmental
16 entity; and

17 (2) is not a premises or other place on which the
18 license holder is prohibited from carrying the handgun under
19 Section 46.03 or 46.035.

20 SECTION 4. Section 30.07(e), Penal Code, is amended to read
21 as follows:

22 (e) It is an exception to the application of this section
23 that the property on which the license holder openly carries the
24 handgun:

25 (1) is owned and occupied [~~or leased~~] by a
26 governmental entity or leased to and occupied by a governmental
27 entity; and

1 (2) is not a premises or other place on which the
2 license holder is prohibited from carrying the handgun under
3 Section 46.03 or 46.035.

4 SECTION 5. The change in law made by this Act applies only
5 to conduct that occurs on or after the effective date of this Act.

6 SECTION 6. This Act takes effect September 1, 2017.