

By: Zwiener

H.B. No. 111

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the possession of weapons on public property within 1000 feet of a school in Texas.

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

SECTION 1. Sec. 46.03, Penal Code, is amended to read as follows:

Sec. 46.03. PLACES WEAPONS PROHIBITED. (a) A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon listed in Section 46.05(a):

(1) on the premises of a school or postsecondary educational institution, on any grounds or building owned by and under the control of a school or postsecondary educational institution and on which an activity sponsored by the school or institution is being conducted, on public property within 1000 feet of a school, or in a passenger transportation vehicle of a school or postsecondary educational institution, whether the school or postsecondary educational institution is public or private, unless:

(A) pursuant to written regulations or written authorization of the school or institution; or

(B) the person possesses or goes with a concealed handgun that the person is licensed to carry under Subchapter H, Chapter 411, Government Code, and no other weapon to which this

1 section applies, on the premises of a postsecondary educational  
2 institution, on any grounds or building owned by and under the  
3 control of the institution and on which an activity sponsored by the  
4 institution is being conducted, or in a passenger transportation  
5 vehicle of the institution;

6 (2) on the premises of a polling place on the day of an  
7 election or while early voting is in progress;

8 (3) on the premises of any government court or offices  
9 utilized by the court, unless pursuant to written regulations or  
10 written authorization of the court;

11 (4) on the premises of a racetrack;

12 (5) in or into a secured area of an airport;

13 (6) within 1,000 feet of premises the location of  
14 which is designated by the Texas Department of Criminal Justice as a  
15 place of execution under Article 43.19, Code of Criminal Procedure,  
16 on a day that a sentence of death is set to be imposed on the  
17 designated premises and the person received notice that:

18 (A) going within 1,000 feet of the premises with  
19 a weapon listed under this subsection was prohibited; or

20 (B) possessing a weapon listed under this  
21 subsection within 1,000 feet of the premises was prohibited;

22 (7) on the premises of a business that has a permit or  
23 license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic  
24 Beverage Code, if the business derives 51 percent or more of its  
25 income from the sale or service of alcoholic beverages for  
26 on-premises consumption, as determined by the Texas Alcoholic  
27 Beverage Commission under Section 104.06, Alcoholic Beverage Code;

1           (8) on the premises where a high school, collegiate,  
2 or professional sporting event or interscholastic event is taking  
3 place, unless the person is a participant in the event and a  
4 firearm, location-restricted knife, club, or prohibited weapon  
5 listed in Section 46.05(a) is used in the event;

6           (9) on the premises of a correctional facility;

7           (10) on the premises of a civil commitment facility;

8           (11) on the premises of a hospital licensed under  
9 Chapter 241, Health and Safety Code, or on the premises of a nursing  
10 facility licensed under Chapter 242, Health and Safety Code, unless  
11 the person has written authorization of the hospital or nursing  
12 facility administration, as appropriate;

13           (12) on the premises of a mental hospital, as defined  
14 by Section 571.003, Health and Safety Code, unless the person has  
15 written authorization of the mental hospital administration;

16           (13) in an amusement park; or

17           (14) in the room or rooms where a meeting of a  
18 governmental entity is held, if the meeting is an open meeting  
19 subject to Chapter 551, Government Code, and if the entity provided  
20 notice as required by that chapter.

21           SECTION 2. This Act takes effect on March 1st, 2024.