

By: Tinderholt

H.B. No. 3428

A BILL TO BE ENTITLED

AN ACT

relating to the required notice regarding the possession of a firearm on the premises of certain businesses; providing an administrative penalty.

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

SECTION 1. Section 104.06, Alcoholic Beverage Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) If the commission determines that a holder of a license or permit issued under this code is displaying a sign in violation of Section 411.204(a-1), Government Code, the commission shall:

(1) impose an administrative penalty in the amount of \$1,000 for the first violation; and

(2) revoke the holder's license or permit for a subsequent violation.

(e) The commission shall post on the commission's Internet website a list of the license and permit holders who:

(1) receive 51 percent or more of the gross receipts of the premises from the sale or service of alcoholic beverages; and

(2) are required to display the sign under Section 411.204, Government Code.

SECTION 2. Section 411.204, Government Code, is amended by adding Subsection (a-1) and amending Subsections (b) and (c) to read as follows:

(a-1) Only a business described by Subsection (a) may

1 display a sign described by Subsection (c) on the business's
2 premises.

3 (b) A hospital licensed under Chapter 241, Health and Safety
4 Code, or a nursing home licensed under Chapter 242, Health and
5 Safety Code, shall prominently display at each entrance to the
6 hospital or nursing home, as appropriate, a sign that complies with
7 the requirements of Subsection (c) other than the requirement that
8 the sign include on its face the number "51" and the phone number
9 for reporting improperly displayed signs.

10 (c) The sign required under Subsections (a) and (b) must
11 give notice in both English and Spanish that it is unlawful for a
12 person licensed under this subchapter to carry a handgun on the
13 premises. The sign must:

14 (1) appear in contrasting colors with block letters at
15 least one inch in height;

16 (2) ~~[and must]~~ include on its face:

17 (A) the number "51" printed in solid red at least
18 five inches in height; and

19 (B) a phone number designated by the Texas
20 Alcoholic Beverage Commission for reporting a business that is
21 improperly displaying the sign; and

22 (3) ~~[The sign shall]~~ be displayed in a conspicuous
23 manner clearly visible to the public.

24 SECTION 3. Sections 104.06(d) and (e), Alcoholic Beverage
25 Code, and Section 411.204(a-1), Government Code, as added by this
26 Act, apply only to conduct occurring on or after the effective date
27 of this Act. Conduct occurring before the effective date of this Act

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1 is governed by the law in effect when the conduct occurred, and the
2 former law is continued in effect for that purpose.

3 SECTION 4. This Act takes effect September 1, 2025.