

BILL ANALYSIS

C.S.H.B. 333
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Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that hotels and lodging businesses may be confusing concealed handgun license holders and gun owners by not disclosing a gun policy in the business transaction's terms or conditions. C.S.H.B. 333 seeks to address this issue by requiring a hotel to make its policy more visible to hotel guests.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 333 amends the Occupations Code to require a hotel that has a policy prohibiting or restricting the possession, storage, or transportation of firearms by hotel guests to include the policy on the hotel's Internet reservation website. The bill requires the hotel, if it provides a written confirmation or a written statement of terms and conditions to a consumer after accepting a consumer's hotel reservation by telephone, to include information specifying how the consumer may review applicable guest policies. The bill requires the guest policies to indicate the hotel's policy regarding the possession, storage, and transportation of firearms by guests. The bill makes it a misdemeanor offense punishable by a fine of not more than \$100 for a hotel owner or keeper to not comply with the bill's provisions.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 333 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Chapter 2155, Occupations Code, is amended by adding Subchapter C to read as follows:

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SUBCHAPTER C. FIREARMS POLICY NOTICE

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Sec. 2155.101. DEFINITION.

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Sec. 2155.102. APPLICABILITY OF

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SUBCHAPTER.

Sec. 2155.103. NOTICE REGARDING FIREARMS POLICY. (a) A hotel shall post on the hotel's Internet reservation website the hotel's policy regarding the possession, storage, and transportation of firearms. The hotel shall require the consumer to acknowledge that the consumer has read the hotel's firearms policy before the consumer finalizes the reservation with the hotel.

(b) A hotel shall include information on how a consumer may review the hotel's policy regarding the possession, storage, and transportation of firearms if the hotel provides a written confirmation or other terms and conditions to the consumer after accepting the consumer's hotel reservation by telephone.

No equivalent provision.

Sec. 2155.104. COURT WARNING; CIVIL PENALTY. (a) A court may issue a warning to a hotel for a first violation of this subchapter. After receiving a warning for the first violation, the hotel is liable to the state for a civil penalty of \$200 for each subsequent violation.

(b) The attorney general or an appropriate prosecuting attorney may file suit for the issuance of a warning or the collection of a civil penalty under this section.

(c) A civil penalty collected under this section shall be sent to the comptroller for deposit in the general revenue fund.

SECTION 2. This Act takes effect September 1, 2013.

SUBCHAPTER.

Sec. 2155.103. NOTICE REGARDING FIREARMS POLICY. (a) A hotel shall include on the hotel's Internet reservation website the hotel's policy regarding the possession, storage, and transportation of firearms.

(b) If a hotel provides a written confirmation or a written statement of terms and conditions to a consumer after accepting the consumer's hotel reservation by telephone, the hotel shall include information specifying how the consumer may review applicable guest policies. The guest policies must indicate the hotel's policy regarding the possession, storage, and transportation of firearms by guests.

(c) A hotel owner or keeper commits an offense if the person does not comply with this section. An offense under this subsection is a misdemeanor punishable by a fine of not more than \$100.

No equivalent provision.

SECTION 2. Same as introduced version.