

By: Spitzer

H.B. No. 2823

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting certain physician questions regarding firearms.

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

SECTION 1. Subchapter B, Chapter 164, Occupations Code, is amended by adding Section 164.0525 to read as follows:

Sec. 164.0525. INQUIRY INTO GUN OWNERSHIP PROHIBITED. (a)
In this section, "patient" has the meaning provided by Section 159.001.

(b) A physician, other than a psychiatrist, may not:

(1) inquire into, or ask a patient to disclose, whether a firearm is located or stored on property owned by or under the patient's control, including the patient's home; and

(2) require that information described by Subdivision (1) be disclosed before providing treatment to the patient.

(c) The board may take disciplinary action against a physician who violates Subsection (b).

SECTION 2. Section 164.0525, Occupations Code, as added by this Act, applies only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

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