

BILL ANALYSIS

Senate Research Center
85R3568 JSC-F

H.B. 873
By: Pickett (Hughes)
State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that there are a number of public venues that prevent people from entering the venue with weapons, including off-duty peace officers. These parties contend that such policies pose a safety risk as an off-duty peace officer may be called on to take action in self-defense or in defense of the safety and well-being of the public. H.B. 873 addresses these concerns by prohibiting an establishment serving the public from prohibiting or otherwise restricting a peace officer or special investigator from carrying on its premises a weapon that the peace officer or special investigator is otherwise authorized to carry.

H.B. 873 amends current law relating to prohibiting certain establishments serving the public from restricting a peace officer or special investigator from carrying a weapon on the premises.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 2, Code of Criminal Procedure, by adding Article 2.1305, as follows:

Art. 2.1305. CARRYING WEAPON ON CERTAIN PREMISES. (a) Prohibits an establishment serving the public from prohibiting or otherwise restricting a peace officer or special investigator from carrying on the establishment's premises a weapon that the peace officer or special investigator is otherwise authorized to carry, regardless of whether the peace officer or special investigator is engaged in the actual discharge of the officer's or investigator's duties while carrying the weapon.

(b) Provides that, for purposes of this article, "establishment serving the public" means a hotel, motel, or other place of lodging; a restaurant or other place where food is offered for sale to the public; a retail business or other commercial establishment or an office building to which the general public is invited; a sports venue; and any other place of public accommodation, amusement, convenience, or resort to which the general public or any classification of persons from the general public is regularly, normally, or customarily invited. Defines "sports venue."

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2017.