

BILL ANALYSIS

H.B. 1966
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Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties point to a legal loophole that allows an apartment complex or condo community to prohibit handguns in common areas, making it impossible for a license holder who lives at the property or a guest of a person who lives at such a property to legally carry when entering or exiting the place of residence. H.B. 1966 seeks to address this loophole by prohibiting certain such license holders from being prohibited from carrying a concealed handgun in the common area of a condominium property or multifamily property under certain circumstances.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.B. 1966 amends the Property Code to prohibit a condominium unit owner, a tenant or guest of a condominium unit owner, or a guest of a tenant of a condominium unit owner who holds a handgun license from being prohibited from carrying a concealed handgun on condominium property as necessary to enter the owner's unit, to exit the condominium property from the owner's unit, or to enter a vehicle on the condominium property. This prohibition applies to a provision of a condominium dedicatory instrument regardless of the date of the provision's adoption.

H.B. 1966 prohibits a landlord from prohibiting a tenant or tenant's guest who holds a handgun license from carrying a concealed handgun on the leased premises of a multifamily property as necessary to enter the tenant's dwelling unit, to exit the leased premises, or to enter a vehicle on the leased premises unless possession of a handgun on the landlord's property is prohibited by state or federal law. This prohibition does not affect the enforceability of a provision in a lease entered into or renewed before the bill's effective date.

EFFECTIVE DATE

September 1, 2017.