

By: Murr

H.B. No. 14

A BILL TO BE ENTITLED

AN ACT

relating to the carrying of handguns by license holders on the property of state hospitals; providing a civil penalty.

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

SECTION 1. The heading to Section 411.209, Government Code, is amended to read as follows:

Sec. 411.209. WRONGFUL EXCLUSION OF [~~CONCEALED~~] HANDGUN LICENSE HOLDER.

SECTION 2. Section 411.209, Government Code, is amended by amending Subsections (a) and (d) and adding Subsection (i) to read as follows:

(a) Except as provided by Subsection (i), a [A] state agency or a political subdivision of the state may not provide notice by a communication described by Section 30.06, Penal Code, or by any sign expressly referring to that law or to a [~~concealed handgun~~] license to carry a handgun, that a license holder carrying a handgun under the authority of this subchapter is prohibited from entering or remaining on a premises or other place owned or leased by the governmental entity unless license holders are prohibited from carrying a handgun on the premises or other place by Section 46.03 or 46.035, Penal Code.

(d) A resident [~~citizen~~] of this state or a person licensed to carry a [~~concealed~~] handgun under this subchapter may file a complaint with the attorney general that a state agency or

1 political subdivision is in violation of Subsection (a) if the  
2 resident [~~citizen~~] or person provides the agency or subdivision a  
3 written notice that describes the violation and specific location  
4 of the sign found to be in violation and the agency or subdivision  
5 does not cure the violation before the end of the third business day  
6 after the date of receiving the written notice. A complaint filed  
7 under this subsection must include evidence of the violation and a  
8 copy of the written notice.

9 (i) Subsection (a) does not apply to a written notice  
10 provided by a state hospital under Section 552.002, Health and  
11 Safety Code.

12 SECTION 3. Subchapter A, Chapter 552, Health and Safety  
13 Code, is amended by adding Section 552.002 to read as follows:

14 Sec. 552.002. CARRYING OF HANDGUN BY LICENSE HOLDER IN  
15 STATE HOSPITAL. (a) In this section:

16 (1) "License holder" has the meaning assigned by  
17 Section 46.035(f), Penal Code.

18 (2) "State hospital" means the following facilities:

- 19 (A) the Austin State Hospital;
- 20 (B) the Big Spring State Hospital;
- 21 (C) the El Paso Psychiatric Center;
- 22 (D) the Kerrville State Hospital;
- 23 (E) the North Texas State Hospital;
- 24 (F) the Rio Grande State Center;
- 25 (G) the Rusk State Hospital;
- 26 (H) the San Antonio State Hospital;
- 27 (I) the Terrell State Hospital; and

1           (J) the Waco Center for Youth.

2           (3) "Written notice" means a sign that is posted on  
3 property and that:

4           (A) includes in both English and Spanish written  
5 language identical to the following: "Pursuant to Section 552.002,  
6 Health and Safety Code (carrying of handgun by license holder in  
7 state hospital), a person licensed under Subchapter H, Chapter 411,  
8 Government Code (handgun licensing law), may not enter this  
9 property with a handgun";

10           (B) appears in contrasting colors with block  
11 letters at least one inch in height; and

12           (C) is displayed in a conspicuous manner clearly  
13 visible to the public at each entrance to the property.

14           (b) A state hospital may prohibit a license holder from  
15 carrying a handgun under the authority of Subchapter H, Chapter  
16 411, Government Code, on the property of the hospital by providing  
17 written notice.

18           (c) A license holder who carries a handgun under the  
19 authority of Subchapter H, Chapter 411, Government Code, on the  
20 property of a state hospital at which written notice is provided is  
21 liable for a civil penalty in the amount of:

22                   (1) \$100 for the first violation; or

23                   (2) \$500 for the second or subsequent violation.

24           (d) The attorney general or an appropriate prosecuting  
25 attorney may sue to collect a civil penalty under this section.

26           SECTION 4. The change in law made by this Act applies only  
27 to conduct that occurs on or after the effective date of this Act.

1 SECTION 5. This Act takes effect September 1, 2017.