

By: Bernal

H.B. No. 191

A BILL TO BE ENTITLED

AN ACT

relating to the notice given by a property owner prohibiting a handgun license holder from carrying a handgun on certain property.

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

SECTION 1. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.2045 to read as follows:

Sec. 411.2045. WRITTEN NOTICE: RULES. (a) The department shall adopt rules that prescribe the size of a sign and the lettering on that sign under Sections 30.06(c)(3)(B) and 30.07(c)(3)(B), Penal Code. Rules adopted under this subsection may not require that a sign be larger than 8.5 inches by 11 inches for each language in which the sign must be posted.

(b) The department by rule shall adopt a Spanish translation of the language required under Section 30.06(c)(3)(B) or 30.07(c)(3)(B) for a sign described by Subsection (a).

(c) The department shall make available on the department's Internet website a printable copy of the English and Spanish versions of a sign described by Subsection (a).

SECTION 2. Section 30.06(c)(3), Penal Code, is amended to read as follows:

(3) "Written communication" means:

(A) a card or other document on which is written language identical to the following: "Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a

1 person licensed under Subchapter H, Chapter 411, Government Code  
2 (handgun licensing law), may not enter this property with a  
3 concealed handgun"; or

4 (B) a sign posted on the property that:

5 (i) includes the language described by  
6 Paragraph (A) in both English and Spanish;

7 (ii) appears in contrasting colors with  
8 block letters and otherwise complies with the requirements  
9 regarding the size and lettering of the sign provided by rules  
10 adopted under Section 411.2045, Government Code [at least one inch  
11 in height]; and

12 (iii) is displayed in a conspicuous manner  
13 clearly visible to the public.

14 SECTION 3. Section 30.07(c)(3), Penal Code, is amended to  
15 read as follows:

16 (3) "Written communication" means:

17 (A) a card or other document on which is written  
18 language identical to the following: "Pursuant to Section 30.07,  
19 Penal Code (trespass by license holder with an openly carried  
20 handgun), a person licensed under Subchapter H, Chapter 411,  
21 Government Code (handgun licensing law), may not enter this  
22 property with a handgun that is carried openly"; or

23 (B) a sign posted on the property that:

24 (i) includes the language described by  
25 Paragraph (A) in both English and Spanish;

26 (ii) appears in contrasting colors with  
27 block letters and otherwise complies with the requirements

1 regarding the size and lettering of the sign provided by rules  
2 adopted under Section 411.2045, Government Code [~~at least one inch~~  
3 ~~in height~~]; and

4 (iii) is displayed in a conspicuous manner  
5 clearly visible to the public at each entrance to the property.

6 SECTION 4. The public safety director of the Department of  
7 Public Safety shall adopt the rules described by Section 411.2045,  
8 Government Code, as added by this Act, and, not later than December  
9 1, 2017, make a printable electronic copy of the sign available on  
10 the department's Internet website as required by that section.

11 SECTION 5. The change in law made by this Act applies only  
12 to an offense committed on or after January 1, 2018. An offense  
13 committed before January 1, 2018, is governed by the law in effect  
14 on the date the offense was committed, and the former law is  
15 continued in effect for that purpose. For purposes of this section,  
16 an offense was committed before January 1, 2018, if any element of  
17 the offense occurred before that date.

18 SECTION 6. This Act takes effect September 1, 2017.