

AN ACT

relating to prohibiting certain establishments serving the public from restricting a peace officer or special investigator from carrying a weapon on the premises.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1305 to read as follows:

Art. 2.1305. CARRYING WEAPON ON CERTAIN PREMISES. (a) An establishment serving the public may not prohibit or otherwise restrict 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) For purposes of this article:

(1) "Establishment serving the public" means:

(A) a hotel, motel, or other place of lodging;

(B) a restaurant or other place where food is offered for sale to the public;

(C) a retail business or other commercial establishment or an office building to which the general public is invited;

(D) a sports venue; and

1 (E) any other place of public accommodation,
2 amusement, convenience, or resort to which the general public or
3 any classification of persons from the general public is regularly,
4 normally, or customarily invited.

5 (2) "Sports venue" means an arena, coliseum, stadium,
6 or other type of area or facility that is primarily used or is
7 planned for primary use for one or more professional or amateur
8 sports or athletics events and for which a fee is charged or is
9 planned to be charged for admission to the sports or athletics
10 events, other than occasional civic, charitable, or promotional
11 events.

12 SECTION 2. The change in law made by this Act applies only
13 to conduct that occurs on or after the effective date of this Act.
14 Conduct that occurs before the effective date of this Act is
15 governed by the law in effect on the date the conduct occurred, and
16 the former law is continued in effect for that purpose.

17 SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 873 was passed by the House on April 20, 2017, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 873 was passed by the Senate on May 12, 2017, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor