

By: Hall

S.B. No. 86

A BILL TO BE ENTITLED

AN ACT

relating to the liability of a property owner who allows handguns to be carried on the owner's property.

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

SECTION 1. Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 95A to read as follows:

CHAPTER 95A. LIMITED LIABILITY FOR CERTAIN PROPERTY OWNERS WHO ALLOW HANDGUNS

Sec. 95A.001. LIMITED LIABILITY FOR CERTAIN PROPERTY OWNERS WHO ALLOW HANDGUNS. (a) Except as provided by Subsection (b), an owner of property on which the carrying of a handgun is not otherwise unlawful is immune from civil liability with respect to any claim that is based on the property owner's failure to exercise the option to forbid the carrying of handguns on the property.

(b) This section does not limit the liability of a property owner for any damage or injury that arises from a wilful or wanton act or gross negligence by the owner.

SECTION 2. Chapter 95A, Civil Practice and Remedies Code, as added by this Act, does not apply to a cause of action that accrued before the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law applicable to the cause of action immediately before that date, and the former law is continued in effect for that purpose.

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