

By: Nichols

S.B. No. 577

A BILL TO BE ENTITLED

AN ACT

relating to the offense involving the carrying of handguns by  
license holders on the premises of state hospitals.

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

SECTION 1. Section 411.204, Government Code, is amended by  
amending Subsection (b) and adding Subsection (f) to read as  
follows:

(b) A hospital licensed under Chapter 241, Health and Safety  
Code, ~~[or]~~ a nursing facility ~~[home]~~ licensed under Chapter 242,  
Health and Safety Code, or a state hospital shall prominently  
display at each entrance to the hospital or facility ~~[nursing  
home]~~, as appropriate, a sign that complies with the requirements  
of Subsection (c) other than the requirement that the sign include  
on its face the number "51".

(f) In this section, "state hospital" means the following  
facilities:

- (1) the Austin State Hospital;
- (2) the Big Spring State Hospital;
- (3) the El Paso Psychiatric Center;
- (4) the Kerrville State Hospital;
- (5) the North Texas State Hospital;
- (6) the Rio Grande State Center;
- (7) the Rusk State Hospital;
- (8) the San Antonio State Hospital;

1           (9) the Terrell State Hospital; and

2           (10) the Waco Center for Youth.

3           SECTION 2. Section 46.035, Penal Code, is amended by  
4 amending Subsections (b) and (i) and adding Subsection (i-1) to  
5 read as follows:

6           (b) A license holder commits an offense if the license  
7 holder intentionally, knowingly, or recklessly carries a handgun  
8 under the authority of Subchapter H, Chapter 411, Government Code,  
9 regardless of whether the handgun is concealed or carried in a  
10 shoulder or belt holster, on or about the license holder's person:

11           (1) on the premises of a business that has a permit or  
12 license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic  
13 Beverage Code, if the business derives 51 percent or more of its  
14 income from the sale or service of alcoholic beverages for  
15 on-premises consumption, as determined by the Texas Alcoholic  
16 Beverage Commission under Section 104.06, Alcoholic Beverage Code;

17           (2) on the premises where a high school, collegiate,  
18 or professional sporting event or interscholastic event is taking  
19 place, unless the license holder is a participant in the event and a  
20 handgun is used in the event;

21           (3) on the premises of a correctional facility;

22           (4) on the premises of a hospital licensed under  
23 Chapter 241, Health and Safety Code, ~~[or on the premises of]~~ a  
24 nursing facility licensed under Chapter 242, Health and Safety  
25 Code, or a state hospital unless the license holder has written  
26 authorization of the administration of the hospital or ~~[nursing]~~  
27 facility ~~[administration]~~, as appropriate;

(5) in an amusement park; or

(6) on the premises of a church, synagogue, or other established place of religious worship.

(i) Subsections ~~[(b)(4),~~ (b)(5), (b)(6), and (c) do not apply if the actor was not given effective notice under Section 30.06 or 30.07.

(i-1) Subsection (b)(4) does not apply if the actor was not given effective notice under Section 30.06 or 30.07 or under Section 411.204, Government Code.

SECTION 3. Section 46.035(f), Penal Code, is amended by adding Subdivision (4) to read as follows:

(4) "State hospital" means the following facilities:

(A) the Austin State Hospital;

(B) the Big Spring State Hospital;

(C) the El Paso Psychiatric Center;

(D) the Kerrville State Hospital;

(E) the North Texas State Hospital;

(F) the Rio Grande State Center;

(G) the Rusk State Hospital;

(H) the San Antonio State Hospital;

(I) the Terrell State Hospital; and

(J) the Waco Center for Youth.

SECTION 4. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For

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1 purposes of this section, an offense was committed before the  
2 effective date of this Act if any element of the offense occurred  
3 before that date.

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