

## **BILL ANALYSIS**

S.B. 741  
By: Hughes  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised over enforcement by certain property owners' associations of dedicatory instrument provisions restricting firearm possession, use, and storage, and that there is a need to protect the Second Amendment rights of law-abiding citizens. S.B. 741 seeks to provide that protection.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 741 amends the Property Code to prohibit a property owners' association from including or enforcing a provision in a dedicatory instrument that prohibits, restricts, or has the effect of prohibiting or restricting any person who is otherwise authorized from lawfully possessing, transporting, or storing a firearm, any part of a firearm, or firearm ammunition, as well as the otherwise lawful discharge of a firearm.

### **EFFECTIVE DATE**

September 1, 2019.