S.B. No. 772

AN ACT

relating to evidence in certain civil actions of a person's failure to forbid handguns on certain 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. ACTIONS INVOLVING THE CARRYING OF HANDGUNS ON CERTAIN PROPERTY

Sec. 95A.0001.  EVIDENCE OF FAILURE TO FORBID HANDGUNS. The fact that a card, sign, or other document described by Section 30.06(c)(3) or 30.07(c)(3), Penal Code, is not posted on the property of a business or any other evidence that a person failed to exercise the person's option to forbid the carrying of a handgun by a license holder on the property:

(1)  is not admissible as evidence in a trial on the merits in an action:

(A)  against a person, including a business or other entity, who owns, controls, or manages the property; and

(B)  in which the cause of action arises from an injury sustained on the property; and

(2)  does not support a cause of action described by Subdivision (1) against a person described by that subdivision.

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.

SECTION 3.  This Act takes effect September 1, 2019.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_President of the Senate             Speaker of the House

I hereby certify that S.B. No. 772 passed the Senate on April 23, 2019, by the following vote:  Yeas 26, Nays 5.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Secretary of the Senate

I hereby certify that S.B. No. 772 passed the House on May 21, 2019, by the following vote:  Yeas 88, Nays 51, two present not voting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    Chief Clerk of the House

Approved:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_             Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_           Governor