

1-1 By: Krause, et al. (Senate Sponsor - Fallon) H.B. No. 1791
 1-2 (In the Senate - Received from the House May 13, 2019;
 1-3 May 13, 2019, read first time and referred to Committee on State
 1-4 Affairs; May 20, 2019, reported favorably by the following vote:
 1-5 Yeas 7, Nays 2; May 20, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14		X		
1-15	X			
1-16		X		

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the carrying of handguns by license holders on property
 1-20 owned or leased by a governmental entity.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 411.209, Government Code, is amended by
 1-23 amending Subsections (a), (d), and (f) and adding Subsection (j) to
 1-24 read as follows:

1-25 (a) Except as provided by Subsection (i), a state agency or
 1-26 a political subdivision of the state may not take any action,
 1-27 including an action consisting of the provision of ~~[provide]~~ notice
 1-28 by a communication described by Section 30.06 or 30.07, Penal Code,
 1-29 that states or implies ~~[or by any sign expressly referring to that~~
 1-30 ~~law or to a license to carry a handgun,~~ that a license holder who is
 1-31 carrying a handgun under the authority of this subchapter is
 1-32 prohibited from entering or remaining on a premises or other place
 1-33 owned or leased by the governmental entity unless license holders
 1-34 are prohibited from carrying a handgun on the premises or other
 1-35 place by Section 46.03 or 46.035, Penal Code, or other law.

1-36 (d) A resident of this state or a person licensed to carry a
 1-37 handgun under this subchapter may file a complaint with the
 1-38 attorney general that a state agency or political subdivision is in
 1-39 violation of Subsection (a) if the resident or license holder
 1-40 ~~[person]~~ provides the agency or subdivision a written notice that
 1-41 describes the location and general facts of the violation ~~[and~~
 1-42 ~~specific location of the sign found to be in violation]~~ and the
 1-43 agency or subdivision does not cure the violation before the end of
 1-44 the third business day after the date of receiving the written
 1-45 notice. A complaint filed with the attorney general under this
 1-46 subsection must include evidence of the violation and a copy of the
 1-47 written notice provided to the agency or subdivision.

1-48 (f) Before a suit may be brought against a state agency or a
 1-49 political subdivision of the state for a violation of Subsection
 1-50 (a), the attorney general must investigate the complaint to
 1-51 determine whether legal action is warranted. If legal action is
 1-52 warranted, the attorney general must give the chief administrative
 1-53 officer of the agency or political subdivision charged with the
 1-54 violation a written notice that:

1-55 (1) describes the violation ~~[and specific location of~~
 1-56 ~~the sign found to be in violation]~~;

1-57 (2) states the amount of the proposed penalty for the
 1-58 violation; and

1-59 (3) gives the agency or political subdivision 15 days
 1-60 from receipt of the notice to ~~[remove the sign and]~~ cure the
 1-61 violation to avoid the penalty, unless the agency or political

2-1 subdivision was found liable by a court for previously violating
2-2 Subsection (a).

2-3 (j) In this section, "premises" has the meaning assigned by
2-4 Section 46.035, Penal Code.

2-5 SECTION 2. Section 411.209, Government Code, as amended by
2-6 this Act, applies only to conduct that occurs on or after the
2-7 effective date of this Act.

2-8 SECTION 3. This Act takes effect September 1, 2019.

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