

By: Burns

H.B. No. 2164

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to imposing civil and criminal penalties for prohibiting  
3 or otherwise restricting a peace officer or special investigator  
4 from carrying a weapon on certain premises open to the public;  
5 creating a criminal offense.

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

7 SECTION 1. Article 2.1305, Code of Criminal Procedure, is  
8 amended by adding Subsections (c) and (d) to read as follows:

9 (c) An establishment serving the public that violates this  
10 article is subject to a civil penalty in the amount of \$1,000 for  
11 each violation. The attorney general may sue to collect a civil  
12 penalty under this subsection. Money collected under this  
13 subsection shall be deposited in the state treasury to the credit of  
14 the general revenue fund.

15 (d) An establishment serving the public or other person who  
16 is an employee or agent of that establishment commits an offense if  
17 the person violates this article. An offense under this subsection  
18 is a Class C misdemeanor.

19 SECTION 2. The change in law made by this Act applies only  
20 to an offense committed on or after the effective date of this Act.  
21 An offense committed before the effective date of this Act is  
22 governed by the law in effect on the date the offense was committed,  
23 and the former law is continued in effect for that purpose. For  
24 purposes of this section, an offense was committed before the

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1 effective date of this Act if any element of the offense was  
2 committed before that date.

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