

By: Bernal

H.B. No. 236

A BILL TO BE ENTITLED

AN ACT

relating to the notice given by a property owner prohibiting a handgun license holder from carrying a handgun on certain property.

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

SECTION 1. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.2045 to read as follows:

Sec. 411.2045. WRITTEN NOTICE: RULES. (a) The department shall adopt rules that prescribe the size of a sign and the lettering on that sign for purposes of Sections 30.06(c)(3)(B) and 30.07(c)(3)(B), Penal Code. Rules adopted under this subsection may not require that a sign be larger than 8.5 inches by 11 inches for each language in which the sign must be posted.

(b) The department by rule shall adopt Spanish translations of the language described by Sections 30.06(c)(3)(A) and 30.07(c)(3)(A), Penal Code, for the signs described by Subsection (a).

(c) The department shall make available on the department's Internet website a printable copy of the English and Spanish versions of the signs described by Subsection (a).

SECTION 2. Section 30.06(c)(3), Penal Code, is amended to read as follows:

(3) "Written communication" means:

(A) a card or other document on which is written language identical to the following: "Pursuant to Section 30.06,

1 Penal Code (trespass by license holder with a concealed handgun), a
2 person licensed under Subchapter H, Chapter 411, Government Code
3 (handgun licensing law), may not enter this property with a
4 concealed handgun"; or

5 (B) a sign posted on the property that:

6 (i) includes the language described by
7 Paragraph (A) in both English and Spanish;

8 (ii) appears in contrasting colors with
9 block letters and otherwise complies with the requirements
10 regarding the size and lettering of the sign provided by rules
11 adopted under Section 411.2045, Government Code [~~at least one inch~~
12 ~~in height~~]; and

13 (iii) is displayed in a conspicuous manner
14 clearly visible to the public.

15 SECTION 3. Section 30.07(c)(3), Penal Code, is amended to
16 read as follows:

17 (3) "Written communication" means:

18 (A) a card or other document on which is written
19 language identical to the following: "Pursuant to Section 30.07,
20 Penal Code (trespass by license holder with an openly carried
21 handgun), a person licensed under Subchapter H, Chapter 411,
22 Government Code (handgun licensing law), may not enter this
23 property with a handgun that is carried openly"; or

24 (B) a sign posted on the property that:

25 (i) includes the language described by
26 Paragraph (A) in both English and Spanish;

27 (ii) appears in contrasting colors with

1 block letters and otherwise complies with the requirements
2 regarding the size and lettering of the sign provided by rules
3 adopted under Section 411.2045, Government Code [~~at least one inch~~
4 ~~in height~~]; and

5 (iii) is displayed in a conspicuous manner
6 clearly visible to the public at each entrance to the property.

7 SECTION 4. The public safety director of the Department of
8 Public Safety shall adopt the rules described by Section 411.2045,
9 Government Code, as added by this Act, and, not later than December
10 1, 2021, make a printable electronic copy of the sign available on
11 the department's Internet website as required by that section.

12 SECTION 5. The change in law made by this Act applies only
13 to an offense committed on or after January 1, 2022. An offense
14 committed before January 1, 2022, is governed by the law in effect
15 on the date the offense was committed, and the former law is
16 continued in effect for that purpose. For purposes of this section,
17 an offense was committed before January 1, 2022, if any element of
18 the offense occurred before that date.

19 SECTION 6. This Act takes effect September 1, 2021.