

AN ACT

relating to carrying and storing a handgun or handgun ammunition by a hotel guest.

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

SECTION 1. The heading to Subchapter C, Chapter 2155, Occupations Code, is amended to read as follows:

SUBCHAPTER C. FIREARMS POLICY [~~NOTICE~~]

SECTION 2. Section 2155.101, Occupations Code, is amended to read as follows:

Sec. 2155.101. DEFINITION. In this subchapter, "hotel" means a hotel, motel, inn, or similar business entity that offers more than 10 rooms to the public for temporary lodging for a fee [~~has the meaning assigned by Section 156.001, Tax Code~~].

SECTION 3. Subchapter C, Chapter 2155, Occupations Code, is amended by adding Section 2155.1025 to read as follows:

Sec. 2155.1025. FIREARMS POLICY. (a) Unless possession of a handgun or other firearm or ammunition on hotel property is prohibited by state or federal law, a hotel may not adopt a policy prohibiting a hotel guest from:

(1) carrying or storing a firearm or firearm ammunition in the guest's hotel room;

(2) carrying a firearm or firearm ammunition directly en route to or from the hotel or the guest's hotel room;

(3) carrying a firearm or firearm ammunition directly

1 en route to or from the guest's vehicle located on the hotel  
2 property, including a vehicle in a parking area provided for hotel  
3 guests; or

4 (4) carrying or storing a firearm or firearm  
5 ammunition in the guest's vehicle located on the hotel property,  
6 including a vehicle in a parking area provided for hotel guests.

7 (b) A hotel may adopt a policy requiring a hotel guest  
8 carrying a firearm or firearm ammunition in a common area on the  
9 hotel property to:

10 (1) carry a handgun in a concealed manner; or

11 (2) carry a firearm or ammunition in a case or bag.

12 SECTION 4. Section 30.05, Penal Code, is amended by adding  
13 Subsection (f-4) to read as follows:

14 (f-4) It is a defense to prosecution under this section  
15 that:

16 (1) the conduct occurred on hotel property, and the  
17 basis on which entry on that property was forbidden is that entry  
18 with a firearm or firearm ammunition was forbidden;

19 (2) the actor is a guest of a hotel, as defined by  
20 Section 2155.101, Occupations Code; and

21 (3) the actor:

22 (A) carries or stores a firearm or firearm  
23 ammunition in the actor's hotel room;

24 (B) carries a firearm or firearm ammunition  
25 directly en route to or from the hotel or the actor's hotel room;

26 (C) carries a firearm or firearm ammunition  
27 directly en route to or from the actor's vehicle located on the

1 hotel property, including a vehicle in a parking area provided for  
2 hotel guests; or

3 (D) carries or stores a firearm or firearm  
4 ammunition in the actor's vehicle located on the hotel property,  
5 including a vehicle in a parking area provided for hotel guests.

6 SECTION 5. Section 30.06, Penal Code, is amended by adding  
7 Subsection (e-4) to read as follows:

8 (e-4) It is a defense to prosecution under this section that  
9 the license holder is a guest of a hotel, as defined by Section  
10 2155.101, Occupations Code, and the license holder:

11 (1) carries or stores a handgun in the license holder's  
12 hotel room;

13 (2) carries a handgun directly en route to or from the  
14 hotel or the license holder's hotel room;

15 (3) carries a handgun directly en route to or from the  
16 license holder's vehicle located on the hotel property, including a  
17 vehicle in a parking area provided for hotel guests; or

18 (4) carries or stores a handgun in the license holder's  
19 vehicle located on the hotel property, including a vehicle in a  
20 parking area provided for hotel guests.

21 SECTION 6. Section 30.07, Penal Code, is amended by adding  
22 Subsection (e-4) to read as follows:

23 (e-4) It is a defense to prosecution under this section that  
24 the license holder is a guest of a hotel, as defined by Section  
25 2155.101, Occupations Code, and the license holder:

26 (1) carries or stores a handgun in the license holder's  
27 hotel room;

1           (2) carries a handgun directly en route to or from the  
2 hotel or the license holder's hotel room;

3           (3) carries a handgun directly en route to or from the  
4 license holder's vehicle located on the hotel property, including a  
5 vehicle in a parking area provided for hotel guests; or

6           (4) carries or stores a handgun in the license holder's  
7 vehicle located on the hotel property, including a vehicle in a  
8 parking area provided for hotel guests.

9           SECTION 7. Sections 30.05, 30.06, and 30.07, Penal Code, as  
10 amended by this Act, apply only to an offense committed on or after  
11 the effective date of this Act. An offense committed before the  
12 effective date of this Act is governed by the law in effect on the  
13 date the offense was committed, and the former law is continued in  
14 effect for that purpose. For purposes of this section, an offense  
15 was committed before the effective date of this Act if any element  
16 of the offense occurred before that date.

17           SECTION 8. This Act takes effect September 1, 2021.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 20 passed the Senate on April 14, 2021, by the following vote: Yeas 27, Nays 4; and that the Senate concurred in House amendment on May 28, 2021, by the following vote: Yeas 22, Nays 9.

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

I hereby certify that S.B. No. 20 passed the House, with amendment, on May 24, 2021, by the following vote: Yeas 81, Nays 62, one present not voting.

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

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor