

BILL ANALYSIS

H.B. 356
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State law does not currently address businesses' liability for allowing licensed handgun holders to lawfully carry concealed handguns on the premises if damages arise from such lawful carrying. H.B. 356 seeks to clarify the civil liability of a business owner for allowing concealed handguns on the premises. H.B. 356 specifies that a business owner who allows a license holder with a concealed handgun on the premises of the business is not liable for damages arising from the lawful carrying of the concealed handgun based solely on that permission.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 356 amends the Civil Practice and Remedies Code to exempt a person with control over the premises of a business who allows entry on the premises by a handgun license holder with a concealed handgun from liability based solely on that permission for damages arising from the license holder's lawful carrying of the concealed handgun on the premises. For purposes of this exemption, the lack of an oral or written communication that constitutes notice that entry on the property by a license holder with a concealed handgun is forbidden is sufficient to constitute allowing entry on the premises by a license holder with a concealed handgun. The bill's provisions do not apply to a cause of action that accrued before the bill's effective date.

EFFECTIVE DATE

September 1, 2023.