

By: Cain, Holland, Isaac, Hefner, Patterson,  
et al.

H.B. No. 2960

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the locations in which carrying certain weapons is  
3 prohibited and the applicability of a defense to prosecution for an  
4 offense relating to carrying a handgun in certain prohibited  
5 locations and associated notice requirements.

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

7 SECTION 1. Section 46.03(a), Penal Code, is amended to read  
8 as follows:

9 (a) A person commits an offense if the person intentionally,  
10 knowingly, or recklessly possesses or goes with a firearm,  
11 location-restricted knife, club, or prohibited weapon listed in  
12 Section 46.05(a):

13 (1) on the physical premises of a school or  
14 educational institution, any grounds or building on which an  
15 activity sponsored by a school or educational institution is being  
16 conducted, or a passenger transportation vehicle of a school or  
17 educational institution, whether the school or educational  
18 institution is public or private, unless:

19 (A) pursuant to written regulations or written  
20 authorization of the institution; or

21 (B) the person possesses or goes with a concealed  
22 handgun that the person is licensed to carry under Subchapter H,  
23 Chapter 411, Government Code, and no other weapon to which this  
24 section applies, on the premises of an institution of higher

1 education or private or independent institution of higher  
2 education, on any grounds or building on which an activity  
3 sponsored by the institution is being conducted, or in a passenger  
4 transportation vehicle of the institution;

5 (2) on the premises of a polling place on the day of an  
6 election or while early voting is in progress;

7 (3) on the premises of any government court or offices  
8 utilized by the court, unless pursuant to written regulations or  
9 written authorization of the court;

10 (4) on the premises of a racetrack;

11 (5) in or into a secured area of an airport;

12 (6) within 1,000 feet of premises the location of  
13 which is designated by the Texas Department of Criminal Justice as a  
14 place of execution under Article 43.19, Code of Criminal Procedure,  
15 on a day that a sentence of death is set to be imposed on the  
16 designated premises and the person received notice that:

17 (A) going within 1,000 feet of the premises with  
18 a weapon listed under this subsection was prohibited; or

19 (B) possessing a weapon listed under this  
20 subsection within 1,000 feet of the premises was prohibited;

21 (7) on the premises of a business that has a permit or  
22 license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic  
23 Beverage Code, if the business derives 51 percent or more of its  
24 income from the sale or service of alcoholic beverages for  
25 on-premises consumption, as determined by the Texas Alcoholic  
26 Beverage Commission under Section 104.06, Alcoholic Beverage Code;

27 (8) on the premises where a high school, collegiate,

1 or professional sporting event or interscholastic event is taking  
2 place, unless the person is a participant in the event and a  
3 firearm, location-restricted knife, club, or prohibited weapon  
4 listed in Section 46.05(a) is used in the event;

5 (9) on the premises of a correctional facility;

6 (10) on the premises of a civil commitment facility;

7 (11) on the premises of a hospital licensed under  
8 Chapter 241, Health and Safety Code, or on the premises of a nursing  
9 facility licensed under Chapter 242, Health and Safety Code, unless  
10 the person has written authorization of the hospital or nursing  
11 facility administration, as appropriate;

12 (12) on the premises of a mental hospital, as defined  
13 by Section 571.003, Health and Safety Code, or a state hospital, as  
14 defined by Section 552.0011, Health and Safety Code, unless the  
15 person has written authorization of the mental or state hospital  
16 administration;

17 (13) in an amusement park; or

18 (14) in the room or rooms where a meeting of a  
19 governmental entity is held, if the meeting is an open meeting  
20 subject to Chapter 551, Government Code, and if the entity provided  
21 notice as required by that chapter.

22 SECTION 2. Sections 46.15(n) and (o), Penal Code, are  
23 amended to read as follows:

24 (n) The defense provided by Subsection (m) does not apply to  
25 an offense under Section 46.03(a)(1), (5), (11), or (12) if:

26 (1) a sign described by Subsection (o) was posted  
27 prominently at each entrance to the premises or other property, as

1 applicable; or

2 (2) at the time of the offense, the actor knew that  
3 carrying a firearm or other weapon on the premises or other property  
4 was prohibited.

5 (o) A person may provide notice that firearms and other  
6 weapons are prohibited under Section 46.03 on the premises or other  
7 property, as applicable, described by Subsection (a)(1), (5), (11),  
8 or (12) of that section, by posting a sign at each entrance to the  
9 premises or other property that:

10 (1) includes language that is identical to or  
11 substantially similar to the following: "Pursuant to Section 46.03,  
12 Penal Code (places weapons prohibited), a person may not carry a  
13 firearm or other weapon on this property";

14 (2) includes the language described by Subdivision (1)  
15 in both English and Spanish;

16 (3) appears in contrasting colors with block letters  
17 at least one inch in height; and

18 (4) is displayed in a conspicuous manner clearly  
19 visible to the public.

20 SECTION 3. The following provisions are repealed:

21 (1) Section 411.209(i), Government Code; and

22 (2) Section 552.002, Health and Safety Code.

23 SECTION 4. The change in law made by this Act applies only  
24 to an offense committed on or after the effective date of this  
25 Act. An offense committed before the effective date of this Act is  
26 governed by the law in effect on the date the offense was committed,  
27 and the former law is continued in effect for that purpose. For

1 purposes of this section, an offense was committed before the  
2 effective date of this Act if any element of the offense occurred  
3 before that date.

4 SECTION 5. This Act takes effect September 1, 2023.