

## **BILL ANALYSIS**

C.S.H.B. 4201

By: Schatzline

Homeland Security, Public Safety & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that expanding the areas where licensed handgun holders may legally carry firearms would strengthen Texans' Second Amendment rights. C.S.H.B. 4201 seeks to do so by exempting a handgun license holder from the offense of possessing or going with certain weapons in certain places where weapons are prohibited and clarifying provisions relating to licensed carry.

### **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**

C.S.H.B. 4201 amends the Penal Code to exempt a handgun license holder who is carrying a handgun in a concealed manner or in a holster from application of the offense for persons who intentionally, knowingly, or recklessly possess or go with certain weapons in, on the premises of, or within a certain distance of places where weapons are prohibited, except with respect to doing so in the following places:

- on the premises of a primary or secondary school, on any grounds or building owned by and under the control of a primary or secondary school and on which an activity sponsored by the school is being conducted, or in a passenger transportation vehicle of a primary or secondary school, whether the school is public or private, unless pursuant to written regulations or written authorization of the primary or secondary school; and
- on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court.

C.S.H.B. 4201 repeals the Government Code provision that requires the following entities to prominently display at each applicable building entrance a sign giving notice that it is unlawful for a handgun license holder to carry a handgun on the premises:

- a business that has any of the following permits or licenses and that derives 51 percent or more of its income from the sale of alcoholic beverages for on-premises consumption:
  - wine and malt beverage retailer's permit;
  - mixed beverage permit;
  - private club registration permit;
  - retail dealer's on-premise license; or
  - brewpub license;

- a hospital licensed under the Texas Hospital Licensing Law; and
- a nursing home licensed under statutory provisions relating to convalescent and nursing facilities and related institutions.

C.S.H.B. 4201 repeals the Health and Safety Code provision authorizing a state hospital to prohibit a handgun license holder from lawfully carrying a handgun on the property of the hospital by providing written notice.

C.S.H.B. 4201 repeals the following provisions:

- Section 104.06(c), Alcoholic Beverage Code;
- Section 411.204, Government Code;
- Section 552.002, Health and Safety Code;
- Sections 46.03(a-2), (a-3), (a-4), (e-1), (e-2), and (f), Penal Code; and
- Sections 46.15(p) and (q), Penal Code.

C.S.H.B. 4201 applies only to an offense committed on or after the bill's effective date. An offense committed before that date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

### **EFFECTIVE DATE**

September 1, 2025.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 4201 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Both the introduced and the substitute exempt a handgun license holder who is carrying a handgun in a concealed manner or in a holster from application of the offense of possessing or going with certain weapons in places where weapons are prohibited. However, the substitute excludes from that exemption the offense of possessing or going with certain weapons on the premises of a primary or secondary school, on any grounds or building owned by and under the control of a primary or secondary school and on which an activity sponsored by the school is being conducted, or in a passenger transportation vehicle of a primary or secondary school, whether the school is public or private, unless pursuant to written regulations or written authorization of the primary or secondary school, and on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court, as applicable, whereas the introduced did not.

Whereas the introduced version repealed provisions relating to exempting from the application of the offense of unlawful carrying of a weapon and the offense of possessing or going with certain weapons in places where weapons are prohibited a first responder who meets certain criteria relating to the carrying of a handgun, the substitute does not repeal those provisions.

The substitute omits a provision present in the introduced establishing that, to the extent of any conflict, the bill's provisions prevail over another act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.