

By: Schatzline

H.B. No. 4201

Substitute the following for H.B. No. 4201:

By: Hefner

C.S.H.B. No. 4201

A BILL TO BE ENTITLED

AN ACT

relating to the locations where a handgun license holder may carry a handgun.

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

SECTION 1. Sections 46.03(a) and (g-2), Penal Code, are amended to read as follows:

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

(1) on the premises of:

(A) a primary or secondary school ~~[or postsecondary educational institution]~~, on any grounds or building owned by and under the control of a primary or secondary school ~~[or postsecondary educational institution]~~ and on which an activity sponsored by the school ~~[or institution]~~ is being conducted, or in a passenger transportation vehicle of a primary or secondary school ~~[or postsecondary educational institution]~~, whether the school ~~[or postsecondary educational institution]~~ is public or private, unless[+]

~~[(A)]~~ pursuant to written regulations or written authorization of the school ~~[or institution]~~; or

(B) ~~[the person possesses or goes with a concealed handgun that the person is licensed to carry under~~

~~Subchapter H, Chapter 411, Government Code, and no other weapon to which this section applies, on the premises of]~~ a postsecondary educational institution, on any grounds or building owned by and under the control of the institution and on which an activity sponsored by the institution is being conducted, or in a passenger transportation vehicle of the institution, whether the institution is public or private, unless pursuant to written regulations or written authorization of the institution;

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

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

(4) on the premises of a racetrack;

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

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

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

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

(7) on the premises of a business that has a permit or license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic Beverage Code, if the business derives 51 percent or more of its

1 income from the sale or service of alcoholic beverages for
2 on-premises consumption, as determined by the Texas Alcoholic
3 Beverage Commission under Section 104.06, Alcoholic Beverage Code;

4 (8) on the premises where a high school, collegiate,
5 or professional sporting event or interscholastic event is taking
6 place, unless the person is a participant in the event and a
7 firearm, location-restricted knife, club, or prohibited weapon
8 listed in Section 46.05(a) is used in the event;

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

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

11 (11) on the premises of a hospital licensed under
12 Chapter 241, Health and Safety Code, or on the premises of a nursing
13 facility licensed under Chapter 242, Health and Safety Code, unless
14 the person has written authorization of the hospital or nursing
15 facility administration, as appropriate;

16 (12) on the premises of a mental hospital, as defined
17 by Section 571.003, Health and Safety Code, unless the person has
18 written authorization of the mental hospital administration;

19 (13) in an amusement park; or

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

24 (g-2) An offense committed under Subsection (a)(8),
25 (a)(10), (a)(11), or (a)(13) [~~, (a-2), (a-3), or (a-4)~~] is a Class A
26 misdemeanor.

27 SECTION 2. Section 46.15, Penal Code, is amended by

amending Subsection (j) and adding Subsection (s) to read as follows:

(j) The provisions of Sections 46.02 and 46.03(a)(7)[~~(a-2), (a-3), and (a-4)~~] do not apply to an individual who carries a handgun as a participant in a historical reenactment performed in accordance with the rules of the Texas Alcoholic Beverage Commission.

(s) Sections 46.03(a)(1)(B), (a)(2), (a)(4), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9), (a)(10), (a)(11), (a)(12), (a)(13), and (a)(14) do not apply to a person who is carrying:

(1) a license issued under Subchapter H, Chapter 411, Government Code, to carry a handgun; and

(2) a handgun:

(A) in a concealed manner; or

(B) in a holster.

SECTION 3. The following provisions are repealed:

(1) Section 104.06(c), Alcoholic Beverage Code;

(2) Section 411.204, Government Code;

(3) Section 552.002, Health and Safety Code;

(4) Sections 46.03(a-2), (a-3), (a-4), (e-1), (e-2), and (f), Penal Code; and

(5) Sections 46.15(p) and (q), Penal Code.

SECTION 4. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act 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 purposes of

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

3 SECTION 5. This Act takes effect September 1, 2025.