

By: Hall, et al.  
(Phelan)

S.B. No. 1065

A BILL TO BE ENTITLED

AN ACT

relating to a required provision in certain governmental entity contracts regarding the carrying of handguns by license holders; providing civil penalties.

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

SECTION 1. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.2095 to read as follows:

Sec. 411.2095. VIOLATION OF CONTRACT PROVISION RELATING TO LICENSE HOLDER; CIVIL PENALTY. (a) In this section, "governmental entity" has the meaning assigned by Section 2252.911(a).

(b) A contractor who uses property owned or leased by a governmental entity under a contract containing a condition described by Section 2252.911(b) may not take any action, including an action consisting of the provision of notice by a communication described by Section 30.06 or 30.07, Penal Code, that states or implies that a license holder who is carrying a handgun under the authority of this subchapter is prohibited from entering or remaining on the property or a portion of the property unless license holders are prohibited from carrying a handgun on the property or that portion of the property by Section 46.03, Penal Code, or other law.

(c) A contractor that violates Subsection (b) is liable for a civil penalty of:

(1) not less than \$1,000 and not more than \$1,500 for

1 the first violation; and

2 (2) not less than \$10,000 and not more than \$10,500 for  
3 the second or a subsequent violation.

4 (d) Each day of a continuing violation of Subsection (b)  
5 constitutes a separate violation.

6 (e) A resident of this state or a person licensed to carry a  
7 handgun under this subchapter may file a complaint with the  
8 attorney general that a contractor is in violation of Subsection  
9 (b) if the resident or license holder provides the contractor a  
10 written notice that describes the location and general facts of the  
11 violation and the contractor does not cure the violation before the  
12 end of the third business day after the date of receiving the  
13 written notice. A complaint filed with the attorney general under  
14 this subsection must include evidence of the violation and a copy of  
15 the written notice provided to the contractor.

16 (f) A civil penalty collected by the attorney general under  
17 this section shall be deposited to the credit of the compensation to  
18 victims of crime fund established under Subchapter J, Chapter 56B,  
19 Code of Criminal Procedure.

20 (g) Before a suit may be brought against a contractor for a  
21 violation of Subsection (b), the attorney general must investigate  
22 the complaint to determine whether legal action is warranted. If  
23 legal action is warranted, the attorney general must give the  
24 contractor charged with the violation a written notice that:

25 (1) describes the violation;

26 (2) states the amount of the proposed penalty for the  
27 violation; and

1           (3) gives the contractor 15 days from receipt of the  
2 notice to cure the violation to avoid the penalty, unless the  
3 contractor was found liable by a court for previously violating  
4 Subsection (b).

5           (h) If the attorney general determines that legal action is  
6 warranted and that the contractor has not cured the violation  
7 within the 15-day period provided by Subsection (g)(3), the  
8 attorney general or the appropriate county or district attorney may  
9 sue to collect the civil penalty provided by Subsection (c). The  
10 attorney general may also file a petition for appropriate equitable  
11 relief. A suit or petition under this subsection may be filed in a  
12 district court in Travis County or in a county in which the  
13 contractor's principal place of business is located. The attorney  
14 general may recover reasonable expenses incurred in obtaining  
15 relief under this subsection, including court costs, reasonable  
16 attorney's fees, investigative costs, witness fees, and deposition  
17 costs.

18           SECTION 2. Subchapter [Z](#), Chapter [2252](#), Government Code, is  
19 amended by adding Section 2252.911 to read as follows:

20           Sec. 2252.911. REQUIRED CONTRACT PROVISION RELATING TO  
21 HANDGUNS CARRIED BY LICENSE HOLDERS. (a) In this section,  
22 "governmental entity" means:

23           (1) a department, commission, board, office, or other  
24 agency that is in the executive or legislative branch of state  
25 government and that was created by the constitution or a statute,  
26 including an institution of higher education as defined by Section  
27 [61.003](#), Education Code;

1           (2) the supreme court, the court of criminal appeals,  
2 a court of appeals, a district court, or the Texas Judicial Council  
3 or another agency in the judicial branch of state government; or

4           (3) a county, municipality, special-purpose district  
5 or authority, or any other political subdivision of this state.

6           (b) A contract for the use of property owned or leased by a  
7 governmental entity must include the following statement:

8           "\_\_\_\_\_ (name of contractor), during the term of this  
9 contract, may not in any manner prohibit a license holder who is  
10 carrying a handgun under the authority of Subchapter H, Chapter  
11 411, Government Code, from entering or remaining on the property or  
12 a portion of the property, including a prohibition imposed through  
13 the provision of notice by a communication described by Section  
14 30.06 or 30.07, Penal Code, unless license holders are prohibited  
15 from carrying handguns on the property or that portion of the  
16 property under Section 46.03, Penal Code, or other law. Each  
17 violation of this provision may result in a civil penalty of up to  
18 \$10,500 and a judgment for the expenses associated with obtaining  
19 relief under Section 411.2095, Government Code."

20           SECTION 3. The provisions of this Act are severable, and if  
21 any provision of this Act or the application of the provision to any  
22 person or circumstance is declared invalid for any reason, the  
23 declaration does not affect the validity of the remaining portions  
24 of this Act.

25           SECTION 4. Section 2252.911, Government Code, as added by  
26 this Act, does not apply to a contract entered into before the  
27 effective date of this Act, except that if the contract is renewed,

1 modified, or extended on or after the effective date of this Act,  
2 Section 2252.911, Government Code, applies to the contract  
3 beginning on the date of renewal, modification, or extension.

4       SECTION 5. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2025.