

BILL ANALYSIS

S.B. 772
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that individuals licensed to carry a handgun may do so on the premises of many privately owned businesses in Texas as long as the establishment does not post a notice prohibiting the carrying of such a weapon. However, there are concerns that state law does not provide adequate civil liability protections to these establishments, which could leave the establishment vulnerable to frivolous lawsuits and provide incentives to the adoption of more restrictive carrying policies. S.B. 772 seeks to address this issue by providing for the inadmissibility of evidence in certain civil actions of a person's failure to forbid handguns on certain property.

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

S.B. 772 amends the Civil Practice and Remedies Code to establish that the fact that a card, sign, or other document that prohibits the holder of a handgun license from carrying a handgun on an applicable property is not posted on the property of a business or any other evidence that a person failed to exercise the person's option to forbid the carrying of a handgun by a license holder on the property:

- is not admissible as evidence in a trial on the merits in an action:
 - against a person, including a business or other entity, who owns, controls, or manages the property; and
 - in which the cause of action arises from an injury sustained on the property; and
- does not support such a cause of action against such a person.

EFFECTIVE DATE

September 1, 2019.