

## **BILL ANALYSIS**

H.B. 29  
By: Swanson  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In Texas, individuals licensed to carry a firearm are prohibited from carrying their firearms on the premises of certain governmental buildings. It has been suggested that these prohibitions can cause a safety hazard for license holders, given that the license holders are unable to defend themselves on the premises of these buildings. There have been calls to provide these individuals with a secure method of storage for their weapons if entry into certain buildings with the weapon is prohibited. H.B. 29 seeks to address this issue by authorizing certain state agencies and political subdivisions to provide storage lockers in any buildings in which the carrying of a licensed weapon is prohibited.

### **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**

H.B. 29 amends the Government Code and the Local Government Code to authorize an applicable state agency or political subdivision to provide self-service weapon lockers or other secure weapon storage operated at all times by a designated employee for the temporary secure storage of any weapon prohibited in certain public buildings or portions of those buildings. The bill's provisions apply to a building or portion of a building that is used by the agency or subdivision, generally open to the public, and in which either:

- carrying a weapon on the premises or part of the premises would violate the law; or
- the agency or subdivision in control of the building, by sign or otherwise, prohibits firearms, location-restricted knives, clubs, or other weapons on the premises or part of the premises.

H.B. 29 excepts from its provisions penal institutions and a public primary or secondary school or institution of higher education.

H.B. 29 provides the following:

- a self-service weapon locker must allow secure locking by the user and must, as follows, either:
  - provide a key for reopening; or
  - reopen by electronic means, such as by a fingerprint scan or entry of a numeric code;and

- weapons in temporary storage administered by an agency or subdivision employee must be held in a safe, locker, or other location that is locked and accessible only to the designated employee.

H.B. 29 sets out requirements for the employee with respect to weapon intake and provides for the manner in which a person may reclaim a stored weapon. The bill requires the agency or subdivision to ensure the following:

- the storage is available and monitored by a designated employee at all times that the building or portion of the building is open to the public; and
- a person who is choosing to place the weapon in storage or retrieving the weapon from storage is not required to wait more than five minutes.

H.B. 29 authorizes an agency or subdivision to collect a fee for the use of a self-service weapon locker or other temporary secure weapon storage. The bill establishes procedures for handling unclaimed weapons, including with respect to the following:

- the transfer of an unclaimed weapon from temporary storage to another secure location at the end of a business day;
- contacting the weapon's owner in an effort to have the weapon claimed;
- requirements for claiming the weapon;
- forfeiture of a weapon not reclaimed within 30 days; and
- the disposal of a forfeited weapon, either by public sale to a federally licensed firearms dealer or surrender to law enforcement.

The bill provides for the proceeds from the sale of an unclaimed weapon.

**EFFECTIVE DATE**

September 1, 2021.