

## **BILL ANALYSIS**

H.B. 873  
By: Pickett  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that there are a number of public venues that prevent people from entering the venue with weapons, including off-duty peace officers. These parties contend that such policies pose a safety risk as an off-duty peace officer may be called on to take action in self-defense or in defense of the safety and well-being of the public. H.B. 873 seeks to address these concerns by prohibiting an establishment serving the public from prohibiting or otherwise restricting a peace officer or special investigator from carrying on its premises a weapon that the peace officer or special investigator is otherwise authorized to 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**

H.B. 873 amends the Code of Criminal Procedure to prohibit an establishment serving the public from prohibiting or otherwise restricting a peace officer or special investigator from carrying on the establishment's premises a weapon that the peace officer or special investigator is otherwise authorized to carry, regardless of whether the peace officer or special investigator is engaged in the actual discharge of the officer's or investigator's duties while carrying the weapon.

### **EFFECTIVE DATE**

September 1, 2017.