

BILL ANALYSIS

H.B. 3866
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Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been reported that certain municipalities charge higher fees for gun shows than other similar events, impose requirements on gun show promoters that sometimes exceed state and federal requirements, and sometimes refuse to lease municipal facilities for gun shows. There are concerns that this constitutes discrimination against lawful gun show promoters. H.B. 3866 seeks to remedy this issue.

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. 3866 amends the Local Government Code to prohibit a municipality that leases a public facility to persons for short-term use for shows, exhibits, or similar purposes from refusing to lease the facility to a gun show promoter for the purpose of conducting a gun show; from charging a fee to a gun show promoter that is more than the lowest fee charged to a person to lease the facility for a purpose other than a gun show; from charging any additional fees, service charges, or taxes to a gun show promoter that the municipality does not charge to a person that leases the facility for a purpose other than a gun show; or from imposing any terms, conditions, or requirements on a gun show promoter that are not imposed on a person that leases the facility for a purpose other than a gun show.

H.B. 3866 prohibits a municipality from including or enforcing a provision in a public facility lease agreement with a gun show promoter for a gun show that imposes a condition or restriction on the transfer or sale of a firearm at the gun show that is not required by federal or state law. The bill defines "gun show," for purposes of the bill's provisions, as a temporary event held at a public facility at which three or more individuals assemble to display and sell firearms or firearm components to the public and defines "firearm" by reference to the Penal Code.

EFFECTIVE DATE

September 1, 2015.