

Amendment No. 2 to HB3125

Fitzhugh
Signature of Sponsor

AMEND Senate Bill No. 3012*

House Bill No. 3125

by deleting subsections (a), (b) and (c) in Section 3 of the bill as amended and substituting instead the following:

(a)

(1) Except as provided in subdivision (a)(2), an individual, corporation, business entity or local, state or federal government entity or agent thereof is authorized to prohibit the possession of weapons by any person who is at a meeting conducted by, or on property owned, operated, or managed or under the control of the individual, corporation, business entity or government entity.

(2)

(A) An individual, corporation, business entity or local, state or federal government entity or agent thereof that operates or manages an establishment that is open to the public, serves alcohol or beer, and derives less than fifty percent (50%) of its gross annual revenue from the sale of food shall prohibit the possession of weapons by any person who is within the confines of such establishment.

(B) For purposes of determining whether an establishment derives less than fifty percent (50%) of its gross annual revenue from the sale of food, such determination shall be made based on the prior calendar year of operation of such establishment. If an establishment has not been in existence or sold food for an entire year, the fifty percent (50%) shall be determined by the initial partial calendar year in which the establishment has been in existence.

(3) The prohibition in subdivisions (1) and (2) shall apply to any person who is authorized to carry a firearm by authority of § 39-17-1351.

(b)

(1) Notice of the prohibition permitted or required by subsection (a) shall be accomplished by posting notices to be displayed in prominent locations, including all entrances primarily used by persons entering each building, or portion of the building or buildings, where weapon possession is prohibited.

(2) If the possession of weapons is also prohibited on the premises of the property as well as within the confines of a building located on the property, the notice shall be posted at all entrances to the premises that are primarily used by persons entering the property.

(3) The notice required by this section shall be in English, but a duplicate notice may also be posted in any language used by patrons, customers or persons who frequent the place where weapon possession is prohibited. In addition to, but not in lieu of, the sign set out in subdivision (4), notice may also include the international circle and slash symbolizing the prohibition of the item within the circle.

(4) The sign shall be of a size that is plainly visible to the average person entering the building, premises or property and shall contain the following language:

AS AUTHORIZED BY TCA § 39-17-1359, POSSESSION OF A
WEAPON ON THIS PROPERTY, WITHIN THIS BUILDING, OR THE
POSTED PORTION OF THIS BUILDING IS PROHIBITED. A
VIOLATION IS A CRIMINAL OFFENSE PUNISHABLE BY A FINE OF
\$500 AND POSSIBLE IMPRISONMENT.

(c)

(1) It is an offense to possess a weapon in a building or on property that is properly posted in accordance with this section.

(2) Possession of a weapon on posted property in violation of this section is a Class B misdemeanor punishable by fine only of five hundred dollars (\$500).