



Serving the counties of District 2: Fannin, Delta, Hunt, Hopkins, Rains, Rockwall, Kaufman, Van Zandt, and part of Dallas County

Second Amendment Self Defense Rights Progress

While many pro-Second Amendment patriots still feel the sting of the failure of the constitutional carry legislation this past session, all was not lost in that several good 2nd Amendment protection bills were passed by the 86th Legislature and signed into law by the governor. Though limited to only 12 bills, progress was made in the protection of our constitutional right to self defense.

House Bill 121 by Rep. Swanson provides a legal defense for License To Carry (LTC) holders who unknowingly enter establishments with 30.06 or 30.07 signs. This means that you have not committed an offense if you do not see a properly posted 30.06 or 30.07 when you walk into a business. It only becomes a law violation if the owner or his representative asks you to leave the property and you fail to do so. If you leave directly after having been given the notice, you cannot be prosecuted for unlawful carrying.

House Bill 302 by Rep. Paul prevents landlords from restricting tenants from lawfully possessing a gun in a lease facility. It also protects a person's rights to possess lawfully-owned firearms and ammunition in their apartments, and to transport their guns directly between their personal vehicles and their living quarters.

House Bill 1143 by Rep. Hefner provides that a school district cannot prohibit anyone, including school employees, who has an LTC from transporting or storing a firearm in a private vehicle.

House Bill 1177 by Rep. Phelan allows unlicensed gun owners to carry a gun for a week following a declared disaster. The idea behind this legislation is to allow gun owners to legally transport their firearms to safety during an evacuation and not have to leave them behind for potential looters.

House Bill 1791 by Rep. Krause closes several loopholes in a state law that cities, counties and state agencies have been incorrectly using to restrict LTC holders in government buildings. Local governments will be subject to being investigated by the state attorney general if they take action to prevent an LTC holder from carrying a handgun on city or county government property.

House Bill 2363 by Rep. Harris allows foster parents, as any other parent, the right to store firearms in a safe and secure manner while making them more readily accessible for personal protection purposes. This means that ammunition and firearms will be able to be stored together in a safe, as long as a trigger lock is used.

House Bill 3231 by Rep. Clardy improves a state law already on the books by adding that cities cannot adopt regulations for carrying, transporting, or storing firearms. It also prevents cities from making a zoning ordinance or business ordinance to limit the making and selling of guns. This bill also allows people who have been wrongfully restricted to sue and recover damages.

House Bill 1387 by Rep. Hefner removes the limit on the number of school marshals a school may employ. They are the first line of defense before law enforcement arrives on scene at a school.



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House Bill 4428 by Rep. Tinderholt requires that the license to carry a handgun, for non-U.S. citizens, must expire at the end of their legal stay in the country, or within one year if a time is not specified on their visa.

Senate Bill 535 by Sen. Campbell removes a provision in current law that prohibits handguns in "churches, synagogues, or other places of worship." Churches would still be able to prohibit licensed citizens from carrying firearms on their premises, but they would now have to provide verbal or written notice that carrying a gun is not allowed.

Senate Bill 741 by Sen. Hughes prohibits a property owners' association from banning the storage of guns on rental properties. This bill originated after an abusive property owner's association infringed on a family's rights in West Texas.

Senate Bill 772 by Sen. Hughes provides civil liability protection to business establishments which choose not to post 30.06/30.07 signs, making them less vulnerable to frivolous lawsuits. This means that if a business owner allows licensed Texans to carry handguns on his or her property, the law provides protection for those business owners and shields them from lawsuits which anti-gun advocates might bring just to intimidate and harass them. A business that chooses to infringe on an individual's right to self defense by posting a 30.06/30.07 sign will have to rely on the court to determine their level of responsibility in any violent actions that take place in a business which displays the 30.06/30.7 signs.

It is equally important to recognize that several really bad bills were successively stopped by the legislature. Liberal lawmakers started out the session with an aggressive push for banning selected gun accessories, red flag law legislation, and closing the so-called "gun show loophole." However, all of these efforts and more were defeated by vigilant conservatives in the House and Senate who spoke, debated, and voted tirelessly against many bad bills that gun control advocates tried to sneak through.

While these 12 bills did not include unlicensed carry, they did move the dial towards liberty. However, Texas, which is currently ranked 13th in the nation in 2nd Amendment Liberty, has a ways to go in making Texas number one in the right to self defense.