

Starting January 1st, 2016, Texas will become the 45th state to allow some form of “OPEN CARRY” of handguns. This means that Texas is changing its gun license from a CONCEALED HANDGUN LICENSE (“CHL”); to a LICENSE TO CARRY (“LTC”).

EXACTLY... WHAT IS CHANGING?

- The name is changing from Concealed Handgun License or “CHL”; to License to Carry, or “LTC”.
- Beginning January 1st, citizens all across the State of Texas may begin seeing people prominently and lawfully wearing handguns...outside their clothing.
- All current “CHL” holders will be “grandfathered” into the new “LTC” program. If you already have a valid “CHL” there is absolutely nothing you need to do. The “CHL” you are holding will now be referred to as a “LTC” or License to Carry. - - Beginning Jan. 1st, Texas will no longer issue new (or renewal) “CHL’s”; but begin issuing the new “LTC”, or License to Carry.
- The biggest change is that “licensed” gun owners are no longer required to hide or “conceal” the weapon they are carrying, but now have the option to carry that weapon openly (outside their clothing) or continue to carry in a concealed manner. If they choose to “open carry”, the law states that their weapon **MUST BE IN A HOLSTER**...worn on the shoulder or belt.

WHAT IS NOT CHANGING?

- The basic “CHL or LTC” laws, rules and regulations are not changing. **Citizens still need a license to carry a handgun (openly or concealed) in the State of Texas.** Laws concerning license eligibility, who can legally carry and where it is legal to carry have not changed. REMEMBER: This new law **ONLY** applies to handguns and to valid handgun license holders.

- ATTENTION: ALL VALID TEXAS HANDGUN LICENSE HOLDERS: Everywhere you can legally concealed carry now, you will be able to open carry after Jan. 1, 2016.

*It is already legal to openly display long-guns, shotguns and rifles in public; as long as it is done in a non-threatening or alarming manner. No license or permit is required.

SOME BASIC FIREARM LAWS OF THE STATE OF TEXAS

In Texas, it is generally illegal to carry a handgun outside of a person’s own premises*, however, there are several places where a person may possess a handgun legally without a license.

*Assuming the person is legally allowed to possess a weapon.

INSTANCES WHERE NO LICENSE IS REQUIRED:

- A person who is legally allowed to possess a weapon does not need a license to carry a handgun at their residence.
- A person who is legally allowed to possess a weapon does not need a license to carry a handgun in their vehicle or boat. *The handgun can be loaded or unloaded, but must be concealed at all times.

- A person who is legally allowed to possess a weapon does not need a license to carry a handgun when engaging in lawful fishing, hunting, or other sporting activity on the immediate premises where the activity is conducted, or is en route between the premises and the persons' residence or motor vehicle, if the firearm is a type commonly used in the activity.

*Remember: * A person who is legally allowed to possess a weapon does not need a license to carry long-guns, shotguns and rifles in public; as long as it is done in a non-threatening or alarming manner.

ABSOLUTELY NO GUNS ALLOWED:

Under Texas Law... every handgun license holder knows that there are universally designated places where handguns are never allowed.

License holders may never carry guns onto the premises of schools, school-related functions (i.e. football games), courtrooms, secure areas of airports, polling places, and post offices. It is also illegal to carry into any business that receives at least 51 percent of its revenue from alcohol sales; as designated by a proper "51% sign at each entrance.

In most cases, parking lots, sidewalks and driveways are not included in the definition of "premises."

WHAT ABOUT EVERYWHERE ELSE?

Is it legal to "OPEN CARRY" into a bank, a liquor store, or a restaurant? What about a movie theater, a hospital, a nursing home or an amusement park. What about the airport when I go to pick up Aunt Sally? The answer is YES; IT IS LEGAL; UNLESS YOU SEE A VALID "30.06 Sign"; A VALID "30.07 Sign"; OR A VALID "51% Sign" posted at the entrance. *Or, unless the owner (or someone with authority) gives you verbal notification.

THE 3 SIGNS THAT LEGALLY PROHIBIT GUNS:

There are 3 signs that determine if it is legal to enter the premises with a handgun.

*TABC does require a 4th legal sign at all establishments licensed to sell alcohol, but it doesn't prohibit valid handgun license holders from entering any premises.

1. A "51% Sign": NO GUNS ALLOWED ON THESE PREMISES. This sign is posted at the entrance of any business that earns more than 51% of its revenue from the sale of alcohol. (ie. Clubs, bars, etc.)
2. A "30.06 Sign": "CONCEALED CARRY" IS NOT ALLOWED ON THESE PREMISES. This sign must be posted at each entrance of any business wishing to prohibit Concealed Carry of handguns. *A "30.06 Sign" only prohibits concealed carry! This sign does not prohibit "OPEN CARRY"!
3. A "30.07 Sign": "OPEN CARRY" IS NOT ALLOWED ON THESE PREMISES. This sign must be posted at each entrance of any business wishing to prohibit Concealed Carry of handguns. *A "30.07 Sign" only prohibits open carry! This sign does not prohibit "CONCEALED CARRY"!

TO BE LEGALLY BINDING, both 30.06 signs and 30.07 signs must contain exact wording as specified in their respective sections of the Texas Penal Code. The text must be 1” tall, in contrasting colors and be in both English and Spanish.

How the signs work – Example:

Take churches for example. Many already allow concealed carry, but may choose not to allow open carry after Jan. 1st. They can post a 30.07 at each entrance; or simply verbally inform violators that open carry is not allowed. If a church (or any other business or entity) wants to ban guns from their premises all together, they **MUST POST BOTH SIGNS (30.06 & 30.07) AT EACH ENTRANCE.**

DON'T BE ALARMED, BUT BE AWARE AND CAUTIOUS:

“OPEN CARRY” is going to be something that everyone will have to get used to. Initially it will be weird to see someone carrying a handgun in the grocery store, in a bank or at a gas pump.

Please do not be alarmed when you see someone "legally" wearing a handgun in a holster worn on the shoulder or belt!

DO CALL LOCAL LAW ENFORCEMENT IMMEDIATELY:

- if you see someone with a handgun that is NOT in a shoulder or belt holster.
- If you see someone remove their handgun from a properly worn holster and use it to scare, threaten or intimidate. *Even if driving at the time.
- If you see someone “open carrying” a handgun, and that person appears to be impaired or intoxicated.
- If you see someone “open carrying” a handgun into a prohibited place such as onto the premises of schools, school-related functions (i.e. football games), courtrooms, secure areas of airports, polling places, post offices.
- Also, if a person is “Open Carrying” in an establishment that is clearly marked with a “Legal 51% sign” or a “Legal 30.07 sign”.
- ALWAYS CALL... anytime you see someone acting in a reckless or suspicious manner, but especially if they are carrying a weapon.

MY RIGHTS:

1. **Question:** If an officer sees me openly carrying a handgun in a shoulder or belt holster, is that officer legally able to ask me for proof that I have a CHL or LTC?
* **Answer:** Yes, since constitutional carry did not pass, the officer is within his or her right to ask you for your LTC license and your TX driver’s license or ID card. Also, when you get your LTC, you are instructed that if a police officer asks you for your LTC license, you must provide it.
2. **Question:** If I am carrying a handgun, and I am approached by a police officer, what steps should I take to ensure that the police officer and myself both feel safe during this transaction?
* **Answer:** Do as the officer asks. Tell the officer you are carrying a weapon and have a license to do so. Do not reach for the weapon, have the officer tell you what to do with the weapon.