



Andi's Answers
Constitutional Carry
HB1927 Frequently Asked Questions

Is Texas' new law real "constitutional carry?"

Yes and no. Like laws in almost every other constitutional carry state, the law created by the passage of HB1927 is actually permitless carry. Based on U.S. Constitution and the Bill of Rights, the only way for a person to be prohibited from possessing or carrying a gun would be to be convicted of a "capital or infamous crime" following the due process of law. All the laws based on a being legally allowed to possess a firearm under state and federal laws, including HB1927, add more restrictions. On the other hand, HB1927 creates constitutional carry based on the current *1876 Texas state constitution* since it allows the Legislature to regulate the carrying of weapons.

Doesn't this new law put the public in danger because more guns on the streets means more violence? Contrary to claims made by groups such as Texas Gun Sense and Moms Demand Action, there is no evidence that constitutional/permitless carry has ever led to an outbreak of shooting. Arizona is the constitutional carry state most like Texas. Comparing weighted averages of Arizona's firearm homicide rate in the years before constitutional carry became law in 2010 to the same period after, the latter rate was nearly 30% lower. The claim that it will allow people "with histories of violence" to carry is a lie. Criminals and those bent on inflicting harm don't obey carry laws and people with "violent histories" usually have records that prevent them from legally possessing a gun.

Why was this bill passed over law enforcement opposition? Not all law enforcement groups opposed the bill. The Sheriffs Association of Texas remained neutral because members were divided between support and opposition. The Texas Police Chiefs Association complained about the lack of a training and officer safety. Yet, in 1995, during hearings for Texas' first-ever concealed handgun license, the TPCA opposed it *even though it required more training than is currently specified.*

There is no evidence that shows laws like this make an officer's job more threatening or difficult.

Can I carry a handgun anywhere I want? No. You are subject to the same restrictions that apply to citizens with a Texas License to Carry. This includes schools, hospitals and medical clinics, courtrooms, police stations, bars, athletic events, amusement parks, or on the premises of any business that has posted the required signs forbidding the carrying of firearms. You also can't carry into a meeting of a governmental body.

Can I carry my gun in my place of worship? Only if the person or group in charge allows it. Guns *can* be carried in church, but churches have the legal right to prohibit or restrict them.

Can I carry my gun in my hand? No. Texas law requires visible handguns to be carried in a holster. Carrying it in your hand could be considered disorderly conduct, which is a criminal offense.

Can a police officer stop me just because I am carrying a handgun? Yes. The provision that would have prohibited this was cut from the final bill.

Can I carry if I have authorization for medical marijuana? No. Marijuana use of any sort is still a prohibitive factor in federal law and no exemption was created in our current state law.

Is there any reason to get or renew a License to Carry? Absolutely! A current LTC exempts you from the NICS check when you buy a gun – that's a big plus right there. In addition, as a Texas resident, the LTC allows you to carry a concealed handgun in any state that honors it. *A Texas LTC is always a wise investment of your time and money.*

Got more questions? You can always contact me at anditurner@tsra.com