

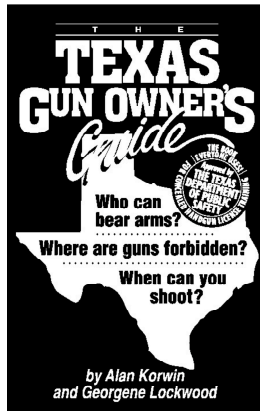
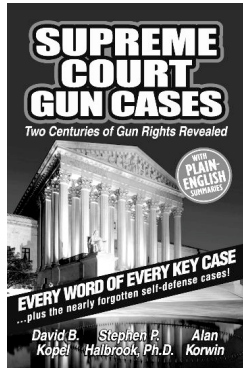
46 • SB1709 • GC 411.207 • Police can disarm CHLs temporarily at non-public secure police facilities and put firearms in a locker for the duration of the visit. Signs must be posted in English and Spanish. Non-public secure police facility is defined.

D • HB3167 • ABC 61.71 • Paragraph “j” renumbered to “l” (L)

CHL Employee Rights • SB 534 (NOT enacted) This would have allowed CHLs to have handguns in locked private vehicles in parking areas of their employers, but it died in committee and did not become law. Because employers extend their “No Firearms” policies to include parking lots and garages, employees who are CHLs are effectively prohibited from protecting themselves during the workweek. They must either keep their firearms in their vehicles and park them off company property and on public roadways, which may be unsafe or unavailable, or travel unarmed, denying their civil rights. The proposed legislation would give CHLs the right to transport and store their handgun in locked vehicles on company property and would also provide immunity from liability for employers. This legislation was modeled after current Southwest Airlines policy. A combination of paranoia, hoplophobia and a media misinformation campaign helped defeat this much needed civil-rights reform.

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THE TEXAS GUN OWNER'S Guide

Update for 2007-8

These changes are based on the Texas legislative session held in 2007. The 6th Edition of *The Texas Gun Owner's Guide* remains the most current in print, this sheet brings it up to date. **10 major gun laws passed in 2007.** These laws went into effect on Sept. 1, 2007 unless noted otherwise. Presented in order of bill number. Copyright 2008 Alan Korwin.

Pg • Bill# • Statute • Description (Page D = Appendix “D” law section)

D • HB8 • PC 12.35 • Adds offenses under PC 21.02 (continuous sexual abuse of children) to the list of state jail felonies.

83 • HB8 • EC 37.007 • Student exhibiting weapon at school is subject to expulsion.

33 • HB8 • OC 1702.163 • Security guard firearm disqualifications are defined.

55 • HB41 • GC 411.179 • CHL license changes made to protect judges’ addresses.

D • HB126 • PC 71.02 • Adds to gang activity any offense under §37.10 (tampering with government records).

59 • HB233 • GC 411.1951 • Defines veterans broadly, reduces CHL fees to zero for active armed forces or vets applying within 365 days of discharge, or a 50% discount (as it is now) for vets applying later.

139 • HB308 • Special laser-sight hunting for disabled hunters—sight-impaired hunters get a good break. Some opponents cried about releasing “blind” hunters on the landscape, a total deception. It is currently legal for anyone with a Texas hunting license to hunt, and no handicap is excluded. This bill creates a better hunting experience and more ethical shot for legally blind hunters, when hunting with a sighted hunter at least 13 years old. Legally blind persons are not wholly without sight, an extremely rare condition, but have a reduced ability to see. Parks and Wildlife must put regulations in place before the law is effective.

D • HB495 • PC 22.01 • Defines and adds various emergency-services personnel to the list of people against whom an assault is a class 3 felony.

75 • HB638 • OC 1701.357 • Eligibility is defined for certain retired law enforcement officers for the 2005 national cop carry program under HR 218 (now 18 USC §926C).

75 • HB638 • GC 614.121-124 • Defines ID card and issuance for national cop carry.

D • HB872 • PC 37.09 • Altering evidence is a class 2 felony if the evidence is a corpse.

33 • HB964 • PC 46.15 • Changes wording and cites for private investigators (now under the Private Security Board), and adds law-enforcement students to firearm-carry exemptions for going to, from or while at class.

66 • HB991 • GC 411.192 • CHL Confidentiality. CHL licenses are private, DPS can’t reveal identities except for law enforcement. This law protects CHL applicants and license holders by restricting access to their personal information to federal, state, and local law enforcement agencies and their employees. A majority of states with CHL-type laws have enacted confidentiality provisions as part of their concealed-carry statutes, as a response

to anti-civil-rights advocates who seek this information for dubious and dangerous purposes. Some have actually succeeded in publishing lists of CHL holders in newspapers, as if they're doing the public a good service by exposing innocent permit-holders' information to criminal elements. Passed 5/9/07 and effective immediately.

38 • HB1815 • PC 46.02 • Motorist Protection Act. Concealed handguns in vehicles now OK, "traveling" law confusion repealed. The offense of illegally carrying a handgun, illegal knife or club has been removed from law if you are on your own premises, premises under your control, or inside or directly enroute to a motor vehicle you own or is under your control. The weapons remain illegal if you intentionally, knowingly or recklessly carry them in plain view in a motor vehicle, or are involved in serious criminal activity, are in a criminal gang, or cannot legally possess a firearm. This new law ends decades of legal abuse of innocent citizens under deceptive "traveling" rules, affirmative defenses, prosecutorial discretion, denials of civil rights and traps for the unwary.

Texas becomes the fourth state to recognize **Freedom to Carry (FTC)**—concealed carry with no permit—at least under the narrow circumstances of in vehicles and on your premises. (The other three are Vermont, Alaska, and Montana outside of city limits. Arizona recognizes FTC in your home, business and on land you own or lease.) FTC differs from so-called "Right-to-Carry," which requires a government-issued permit, forms, tests, taxation, fingerprinting, photographing, embedding in state and federal databases and an expiration date, for exercise of "rights."

33 • HB1815 • PC 46.15 • Conforms 46.15 to 46.02, cleans language for private eyes.

63 • HB1839 • GC 411.185 • CHL Renewal Training Time Frames. Allows a CHL after the third renewal to take the CHL course every 10 years instead of every 5, but they must still go through the renewal process. DPS expects to automate this and make the information on who qualifies and who does not a simple task.

D • HB1887 • PC 30.04 • Vehicle burglary penalties are increased for repeat offenders.

D • HB1889 • PC 46.15 • Adds municipal attorneys and certain bailiffs to the long list of officials exempt from concealed-carry laws and prohibited-places lists. Authorities continue exempting themselves from bans endured by the public, a disturbing trend.

111 • HB2045 • TC 504.631 • TSRA Specialized License Plate. Money collected from issuing Texas State Rifle Association specialty license plates goes to Texas A&M. This bill clarifies that 50% of funds collected will go to the discretion of 4-H Shooting Sports and 50% to enrich the endowed Tubb Scholarship at Texas A&M University.

33 • HB2101 • OC 1702.169 & .206 • Armed travel for private security officers eased.

D • HB2101 • PC 46.15 • Changes names and cites for private investigators (now under the Private Security Board) and related verbiage changes.

83 • HB2112 • EC 37.125 • Texas law makes it an offense to exhibit or use, or threaten to exhibit or use, a firearm in a manner that interferes with the normal use of a building or portion of a school campus or of a school bus. This clarifies that such use, exhibition, or threat is a violation if made in a manner intended to cause alarm or personal injury or to damage school property. Expands the places in which such conduct is banned to include in or on any school property, including a parking lot, garage or other parking area.

75 • HB2300 • GC 411.179 • Judges and similar must be identified on their CHLs.

75 • HB2300 • GC 411.181 • Judges and similar who are no longer officials must notify DPS within 30 days, and apply for a duplicate license that notes the status change.

75 • HB2300 • GC 411.1882 • Judges and similar don't need a handgun-proficiency certificate if a CHL instructor swears they demonstrated proficiency in the 12 months prior to applying.

75 • HB2300 • GC 411.201 • Federal judges residing in Texas are added to the list of officials who are exempt from the CHL rules the public must obey.

75 • HB2300 • PC 46.035 • Judges and similar are added to the list of officials who are exempt from certain bans on carrying with a CHL, which the public must obey (roughly, bars, school sports events, hospitals, amusement parks, churches, government meetings).

D • HB2300 • PC 46.15 • Ass't. DAs and similar exempt from a prohibited-places list.

D • HB2884 • FC 59.003 • Adds sniffing fumes to juvenile-offenses list.

D • HB3167 • PC 46.01 • Corrects the spelling of "stiletto."

47 • SB112 • GC 418.003 • The Katrina Bill. Prevents seizure and confiscation of legally-possessed firearms and ammunition during a state of emergency or natural disaster. Hundreds of cases of such abuse were documented in New Orleans and neighboring areas in the aftermath of hurricane Katrina. Prevents the similar denial of an individual's constitutional rights by state or local officials in event of any future man-made or natural disasters in Texas. A peace officer during an emergency can temporarily disarm an individual during an encounter, but must return the firearm and ammunition before releasing the person, unless there is an arrest or the firearm is evidence in a criminal investigation. Signed 4/27/07 and effective immediately. Also requires changes to GC 418.184, GC 433.002, LGC 229.001 and adding GC 433.0045 to accomplish its purpose.

47 • SB322 • HRC 42.042 • Protect the Rights of Foster Parents. Family Services bureaucrats cannot deny 2nd Amendment rights. The homes of foster children are regularly and thoroughly inspected for any number of hazards including storage of medicines, power tools, swimming pools, hazardous chemicals and firearms. New rules developed by Texas Child Protective Services attempted to exclude all firearms from the property of foster parents with "special needs" children. This would make Texas foster-parent rules the most restrictive in the country. Families who have passed repeated safety and storage exams would have to choose between children in their care or their legal possessions, and could make it difficult to find good families for the most deserving children. This law prohibits the Dept. of Family and Protective Services from adopting such policies, but does allow the department to set minimum storage standards, including keeping arms and ammo separate and locked. Requirements to lock up firearms, which might help reduce accidents or unauthorized use, significantly reduces their value in stopping crime and saving lives in an emergency. Col. Jeff Cooper put it well, "A gun that's safe isn't worth anything." Passed 5/16/07, effective immediately.

120 • SB378 • PC 9.01 • The Castle Doctrine. "Stand Your Ground" personal defense against criminal attackers. Establishes a presumption in law that if a person unlawfully and with force enters or attempts to enter your home, vehicle or place of business or employment, it is reasonable for you to believe that the use of force, including deadly force, is immediately necessary to protect yourself. The same applies if the person takes or attempts to take you out of those places unlawfully and with force. The bill also explicitly states that you have no duty to retreat from such an attack if you are in a place you have a right to be, have not provoked the attack, and are not engaged in unlawful activity. Lastly, the law limits the ability of criminals and their families to sue innocent victims for killing or injuring their attackers. A wonderful piece of legislation that protects the innocent. Also makes changes to PC 9.31, PC 9.32 and CPR 83.001 to accomplish its purpose.

108 • SB535 • PWC 62.082 • Section 62.081 of the Parks & Wildlife Code generally prohibits the possession or discharge of firearms on Lower Colorado River Authority (LCRA) property, with a few exceptions. Clarification was necessary to make it clear that the legal possession of a handgun by a CHL on LCRA property, and discharge of a handgun by a CHL for lawful self-defense purposes, is legal. Prior efforts to accomplish this with SB 501 in 2003 and subsequent administrative rules were not sufficient to restrain "the proper authorities." The statute title was changed for clarity.