



# HB 1927

Municipal Overview

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## Prior to HB 1927

- License required for handguns. License requires background check and proof of gun use and safety class.
- No license required for long guns (rifles and shotguns)
  - A person is generally allowed to carry these in public in Texas.



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## HB 1927: Firearm Carry Act of 2021

- Effective September 1, 2021.
- 21<sup>st</sup> state to allow permitless carry.
- Allows most Texans over age 21 to carry a handgun, in a concealed manner or in a holster, without a license.
  - Ineligible if convicted in last 5 years of committing certain crimes (assault causing bodily injury; deadly or disorderly conduct involving a firearm; making terroristic threats).
  - Federal Gun Control Act also makes some people ineligible.



# Does HB 1927 abolish licensed carry?

- No – still exists for state reciprocity and licensed individuals can skip background check when purchasing.
- Firearm safety courses will still be available
  - In person and online
  - Bill requires Dept. of Public Safety to develop and post an online course on firearm safety.
  - Course will be free to the public.
- Background checks still required to purchase firearms from licensed dealers.



# HB 1927

## Revises Multiple Existing Laws

Amends or repeals parts of:

- Code of Criminal Procedure
- Local Government Code
- Texas Government Code
- Labor Code
- Education Code
- Health and Safety Code
- Penal Code
- Alcohol Beverage Code





## City Response to HB 1927

- Review HB 1927 to determine changes to gun carry laws on City property
- Review City signage to ensure compliance with HB 1927.
- Update City Code to ensure compliance with HB 1927.
- Review City policies to ensure compliance with HB 1927 (employees, elected officials).

## Gun Carry Laws In City Facilities Post-HB 1927

Tx. Penal Code, § 46.03 prohibits *any* firearm, licensed or unlicensed, in:

- Government courts and offices used by the courts. [no change]
- Secured areas of the airport. [no change]
- Polling places on election day or during early voting. [no change]

## Gun Carry Laws In City Facilities Post-HB 1927 (cont.)

Tx. Penal Code 46.03 also prohibits guns in:

- Rooms where a meeting subject to TOMA is occurring. [no change]
- On the premises of a school or any place where an activity sponsored by a school is being conducted [no change]
- Carrying a firearm in violation of 46.03 is a 3<sup>rd</sup> Degree Felony, punishable by 2 - 10 years in prison and a \$10,000 fine.



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## Gun Carry Laws in City Facilities Post-HB 1927 (cont.)

Guns may be prohibited in other municipal areas as well:

- Under Tx. Govt. Code, Chapter 411, a licensed carrier is not permitted in secured, non-public areas of law enforcement facilities **if** the City provides a gun locker and posts sign with language provided in the Texas Govt. Code. [no change]
- Under Tx. Code of Crim. Procedure, an unlicensed carrier is not permitted in secured, non-public areas of law enforcement facilities **if** City provides a gun locker. No sign required. [This is new.]
- Under Tx. Govt. Code, guns may be prohibited on the premises of employment **if** prohibited by the employer. Includes local government employer). [no change]



## City Signs

- Opportunity to review existing signage.
- Existing signs for licensed carry are still valid.
- Signs may be posted stating that firearms are absolutely prohibited in certain areas pursuant to Penal Code Sec. 46.03.

## Updating City Code

- Section 10.12.020 regarding the carrying of handguns to align with HB 1927. (Public Peace, Morals and Welfare; First Reading August 16, 2021)
- Section 13.24.070 to allow a person to carry a handgun who is not otherwise prohibited by law from carrying a handgun. (Streets, Sidewalks and Public Places; First Reading August 16, 2021)
- Section 14.16.080 - Firearms prohibited-Firearms at the airport. (Airport; to be introduced)

## City Employees/Elected Officials

- City Employees: Local governments are allowed to prohibit employee carry while on the job.
- City's HR Policy on employees carrying remains the same: expressly prohibited.
- Elected Officials: Local elected officials have no special right to carry into a meeting or into another prohibited area.
  - Same post-HB 1927

## TX Penal Code Sec. 46.03 – Full List of Prohibited Places

- School or any place where a school sponsored activity is occurring
- Polling place on election day or during early voting
- Government court or offices used by the court
- Racetrack
- Secured area of the airport
- 1,000 feet from the place where an execution is set to occur
- Business that derives 51% or more of its income from alcohol sales

## List of Prohibited Places, cont.

- Place where a high school, collegiate, or professional sporting event or interscholastic event is taking place.
- Correctional facility
- Civil commitment facility
- Hospitals or nursing facilities
- Mental hospitals
- Amusement Parks (very narrowly defined)
- Rooms where meetings are occurring that are subject to TOMA

## Mission

Deliver exceptional services to support a high quality of life and place for our community

## Values

Integrity, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople

## Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



## Misión

Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad

## Valores

Integridad, **R**espeto, **E**xcelencia, **R**esponsabilidad, **P**ersonas

## Visión

Desarrollar una economía regional vibrante, vecindarios seguros y hermosos y oportunidades recreativas, culturales y educativas excepcionales impulsadas por un gobierno de alto desempeño



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# Questions?

