

ORDINANCE NO. -----

AN ORDINANCE AMENDING TITLE 10 (PUBLIC PEACE, MORALS AND WELFARE), CHAPTER 10.12 (OFFENSES AGAINST PUBLIC PEACE), 10.12.020 FIREARMS-CARRYING PROHIBITED, TO PROVIDE UPDATES AND CORRECTIONS AS TO THE CARRYING OF FIREARMS AT CERTAIN AREAS, THE PENALTY BEING AS PROVIDED IN CHAPTER 1.08 GENERAL PENALTY.

WHEREAS, Texas House Bill 1927 authorizes most Texans over the age of 21 to carry a firearm in a concealed manner or openly in a holster;

WHEREAS, Texas House Bill 1927 modifies the ability of municipalities to restrict firearms in certain areas;

WHEREAS, Section 10.12.020 - Firearms-Carrying prohibited discusses specific areas where firearms are prohibited; and

WHEREAS, the El Paso City Council wishes to modify Chapter 10.12 Offenses Against Public Peace, Section 10.12.020 - Firearms-Carrying prohibited to align with Texas House Bill 1927.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF EL PASO:

1. Title 10 (Public Peace, Morals and Welfare), Chapter 10.12 (Offenses Against the Public Peace), 10.12.020 (Firearms - Carrying prohibited) is amended to read as follows:

10.12.020 - Firearms-Carrying prohibited.

A. As used in this section, the following words shall have the meanings ascribed herein:

1. "Firearm" means any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosive or burning substance or any device readily convertible to that use.
2. "Handgun" has the meaning assigned by Section 46.01, Penal Code.
3. "Concealed handgun" means a handgun, the presence of which is not openly discernible to the ordinary observation of a reasonable person.
4. "Public meeting of the city" means all meetings, notice of which has been posted pursuant to the Open Meetings Law or city policy, and any other meeting of the mayor or city council or its individual members to which members of the public have been invited to attend.

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- B. It is unlawful for a person, to carry a firearm at a:
1. Public park, except as otherwise not prohibited by law;
 2. Public meeting of the city;
 3. Political rally, parade or other official political meeting;
 4. Non-firearms-related school, college or professional athletic event.
- C. The City Manager, or his designee, is authorized to place or permit the placement of signs on all property and buildings, including any portion thereof, which are owned, leased, controlled, operated, used or managed by the city, which give notice, as provided by sections 30.05, 30.06, and 46.03, Texas Penal Code, that entry onto the city owned, leased, controlled, operated, used or managed property and buildings, or portions thereof, by persons carrying concealed or openly carried handguns, firearms, or other weapons is forbidden. All city employees, independent contractors of the city, and persons holding a security officer commission issued by the Texas Board of Private Investigators and Private Security Agencies while performing contracted security services for the city are authorized to give a verbal notice, as provided by Section 30.05 and 30.06, Texas Penal Code, that entry onto city owned, leased, controlled, operated, used or managed property and buildings, or portions thereof, by persons carrying concealed handguns or other weapons is forbidden.
- All persons, who enter or remain on property or buildings, or any portion thereof, which are owned, leased, controlled, operated, used or managed by the city, contrary to a posted or verbal notice shall be considered trespassers.
- D. This section shall not apply to law enforcement officers licensed or commissioned pursuant to federal or state law, persons holding a security officer commission issued by the Texas Board of Private Investigators and Private Security Agencies while in the performance of their official duties, or members of the armed forces or national guard while in the performance of their official duties.
2. Except as herein amended, Title 10 Public Peace, Morals, and Welfare, Chapter 10.12 – Offenses Against Public Peace of the El Paso City Code remains in full force and effect.

(Signatures Begin on Following Page)

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PASSED AND APPROVED on this __ day of ___, 2021.


CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Eric Gutierrez
Assistant City Attorney

APPROVED AS TO CONTENT:



Greg Allen, Chief
Police Department

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