

# Texas Gun Owner's Guide – 6th Edition

**83 STATUTES AFFECTED This version 7/12/06**

31 in 2003, 52 in 2005; 15 "Arm the government" statutes

In numerical order by year, then bill number. 2003 laws became effective on 9/1/03. 2005 laws went into effect on Sept. 1, 2005, except SB734, which went into effect immediately.

Abbreviations: A=Amend; N=New; R=Repeal; (U)=Already published as a TGOG-Update insert; SA=Identified in Statutes Affected List; D=Affects Appendix D only

Summaries do not describe routine renumbering that occurs when bills are amended;

Year	Page	Bill	Effect	Statute	Summary
2003	D	HB11	A	Penal Code 19.03(a)	Adds terroristic threat to capital murder statute. 2003
2003	D	HB12	A	Penal Code 42.01(a),(d),(e)	Changes disorderly conduct by expanding lewdness portion. 2003
2003	29, 38	HB284	N	Penal Code 46.15(g)	(U) A recreational vehicle is now a premises, for carry. (Two sections (g), see SB103). 2003
2003	D	HB565	A	Penal Code 22.01(b), (d)	Makes assault on an on-duty commissioned security officer a third-degree felony. 2003
2003	D	HB565	A	Penal Code 22.02(b), (c), (d)	Makes aggravated assault on an on-duty commissioned security officer a first-degree felony. 2003
2003	D	HB716	A	Penal Code 22.01(c), (e)	Makes assault on a school, amateur or professional sports participant a class A misdemeanor. 2003
2003	D	HB888	A	Family Code 59.003	Change "Model" to "Guidelines" in the title. 2003
2003	92	HB1661	N	Penal Code 46.05(f)	Commissioned security officers can carry certain defensive chemical sprays if trained in their use. 2003
2003	58	HB1704	A	Gov Code 411.172(b)	(U) Felony re-defined for CHL applicants. 2003
2003	58, 63, 69	HB1704	A	Gov Code 411.173(a)	(U) Makes it easier for new-resident CHL application. 2003
2003	58, 63, 69	HB1704	N	Gov Code 411.173(a-1)	(U) Non-issuing states amendment (later repealed). 2003
2003	81	HB1872	A	Penal Code 30.05(a)	Trespass includes in or on aircraft or any vehicle. 2003
2003	D	HB2096	A	Penal Code 71.02(a)	Grammatical changes. 2003
2003	D	HB2319	A	Penal Code 8.07(a)	Juvenile transportation offenses streamlined
2003	D	HB2525	A	Penal Code 22.01(b)	Makes assault on certain people contracted by government to perform specified duties a third-degree felony. 2003
2003	69	HB3477	A	Gov Code 411.173	(U) A non resident from a state that has no CHL provision, who has obtained a Texas CHL, has the Texas CHL remain in effect even if the other state subsequently enacts a CHL law. The AG must prepare an annual list of states Texas does and does not recognize for CHL. 2003
2003	D	SB103	A	Penal Code 46.15(g)	(U) "Arm the government" Special investigators and LEOs from certain other states are exempted from carry restrictions the public must endure. 2003
2003	D	SB103	N	Penal Code 46.15(g)	(U) "Arm the government" Reciprocity for LEOs expanded. (Two sections (g), see HB284). 2003
2003	30	SB117	N	Occupations Code 1701.357	(U) "Arm the government" Establishes procedures for firearm proficiency testing for specified retired LEOs, so they can qualify for federal national cop carry; allows but doesn't

					require taxing them for the proficiency certificate. 2003
2003		SB117	A	Penal Code 46.15(a)	(U) "Arm the government" Adds specified retired LEOs and federal LEOs to list of people exempted from carry restrictions the public must endure. 2003
2003	D	SB319	A	Penal Code 1.07(a)(26)	An "individual" now includes an unborn child. 2003
2003	D	SB319	A	Penal Code 20.01	For kidnapping statutes, a "person" includes an individual who is born and alive, a corporation or an association. 2003
2003	20	SB433	N	Penal Code 38.112	Class A misdemeanor for possession of firearm by a person under a court order for sexual assault. (Also, CCP same ban). 2003
2003		SB501	N	Penal Code 36.05(f)	(U) Provides a defense to prosecution for armed trespass if the person has a valid CHL. 2003
2003		SB501	N	Penal Code 36.06(e)	(U) CHLs generally OK in govt. bldgs. 2003
2003		SB501	A	Penal Code 46.03(a)	(U) Courthouse definition enlarged. 2003
2003	D	SB1010	A	Civ Prac & Rem 125.001	Restructures common nuisance definitions (and removes the term <i>public nuisance</i> ), which include unauthorized ranges, unlawful carry and certain gun offenses in multiunit residences. 2003
2003	101	SB1010	N	Civ Prac & Rem 125.0015	Restructures common and public nuisance law, which includes certain illegal firearm activity. 2003
2003	D	SB1010	A	Civ Prac & Rem 125.061	Gang definitions, which include guns, are modified. 2003
2003	D	SB1010	R	Civ Prac & Rem 125.041	Repealed along with all of former Chapter 125. 2003
2003	17	SB1532	A	Biz & Commerce Code 16.09	Deletes the reference to firearms, removing this title from gun laws. 2003
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2005	69	HB225	A	Gov Code 411.173(a),173(b)	(U) Language cleaned up for non-residents who are now able to apply for CHL regardless of whether their state has a system or not; background check means NICS and III checks. 2005
2005	65	HB225	A	Gov Code 411.183(b)	(U) CHL now good for five years instead of four. 2005
2005	58	HB322	A	Gov Code 411.172(g), (h)	(U) "Arm the government" Eligibility for CHL for military personnel at age 18 instead of 21, but does not override federal purchase ban for handguns to people under 21. 2005
2005	58	HB322	A	Gov Code 411.174(a)	CHL applicants under 21 must provide photos in profile. 2005
2005	62	HB322	A	Gov Code 411.184(a)	CHL applicants under 21 modifying a license must provide photos in profile. 2005
2005	66	HB322	N	Gov Code 411.1951	"Arm the government" Half-price sale for CHLs for people in the armed forces. 2005
2005	100, 106	HB505	N	Parks & Wildlife Code 62.0121	(U) Shooting across property lines generally banned. 2005
2005	195	HB582	A	Penal Code 38.14(a), (b)	Stun gun defined, taking from LEO banned. 2005
2005	70	HB685	N	Gov Code 411.1881	(U) No CHL shooting test for qualified military personnel. 2005
2005		HB823	A	Penal Code 46.15	(U) The Biggest Change of the Year: "Traveling" defined at last, almost, after more than 125 years, for people in private motor vehicles only. Intended to allow an otherwise innocent person to carry a firearm concealed from sight while in a vehicle, with no provision for getting to or from the vehicle. 2005

2005		HB823	A	Penal Code 2.05	(U) A statutory presumption of innocence is confusingly redefined, to work with the new traveling law. 2005
2005	66	HB1038	A	Gov Code 411.195	(U) Half-price sale for CHL renewals for seniors (over 60). 2005
2005	32	HB1132	A	Occupations Code 1702.163(a)	Security officers must qualify with a handgun to the Board's standards. 2005
2001	32	Various	N	Occupations Code 1702.163+	Numerous standards for armed security guards. 2005
2005		HB1132	A	Penal Code 46.05	Texas Commission on Private Security is now the Private Security Board of the Texas DPS. 2005
2005	D	HB1326	A	Government Code	"Arm the government" Reduces the authorization needed for an officer to carry a weapon, by removing judicial oversight; also corrects a citation for officer training. 2005
2005	61	HB1483	A	Government Code 411.181	A \$25 reapplication fee applies for bad payment on a duplicate license CHL request. 2005
2005	61	HB1483	A	Government Code 411.184	A \$25 reapplication fee applies for bad payment on a modified license CHL request. 2005
2005	61	HB1483	A	Government Code 411.186	A CHL may be revoked for a bad payment, and a \$25 fee applies to reapplication. 2005
2005	61	HB1483	A	Government Code 411.196	Pay your CHL tax with cash, personal check or credit card. 2005
2005	D	HB1575	A	Penal Code 8.07	Ability to prosecute children under 15 expanded. 2005
2005	D	HB1634	A	Penal Code 28.02	Arson statute and penalties changed. 2005
2005	101	HB1690	A,R	Civ Prac & Rem 125 et seq	This bill is to replace all prior amends and repeals to Chap. 125, concerning public and common nuisance, which includes certain carrying and discharge of firearms. 2005
2005	82	HB1813	A	Alcoholic Bev Code 11.61	Allows historical reenactments at a place with a liquor license, if no live ammunition is used. 2005
2005	82	HB1813	A	Alcoholic Bev Code 61.71	Allows historical reenactments at a place with a liquor license, if no live ammunition is used. 2005
2005	82	HB1813	A	Penal Code 46.035	Allows historical reenactments at a place with a liquor license, if no live ammunition is used. 2005
2005	82	HB1813	A	Penal Code 46.15	Allows historical reenactments at a place with a liquor license, if no live ammunition is used. 2005
2005	58	HB1831	A	Government Code 411.171(4)	(U) Exempts a person with a 10-year-old deferred adjudication from the ban on getting a CHL. 2005
2005	58	HB1831	N	Government Code 411.1711	(U) Redefines "convicted" for the purpose of getting a CHL (a 10-year-old deferred adjudication is no longer a ban). 2005
2005	D	HB2018	A	Penal Code 20.01	Numbering changes. 2005
2005	D	HB2018	A	Penal Code 46.12(d)	Texas Rules of "Evidence" no longer "Criminal Evidence". 2005
2005	108	HB2027	N	Parks & Wildlife Code 284.001	(U) "Arm the government" Exempts proper authorities from new shooting limits on rivers and streams in nine counties. 2005
2005	D	HB2110	A	Penal Code 46.15(a)	(U) "Arm the government" Increases the list of officials who are exempt from carry restrictions the public must endure, including federal judges, district attorneys, criminal district attorneys and county attorneys; adjust language to allow for federal nation cop carry. 2005
2005	D	HB2110	A	Penal Code 30.05	(U) "Arm the government" Removes the armed trespass ban

					for specified LEOs whether they're on duty or not, and includes LEOs from specified reciprocal states. 2005
2005	D	HB2110	R	Penal Code 46.15(g)	(U) Repeals the former paragraph (g). 2005
2005	D	HB2110	A	Occupations Code 1701.357	(U) "Arm the government" Cleans up language from the 2003 enactment of this law that exempts active and retired LEOs from carry bans the public must endure, and facilitates federal national cop carry certification. 2005
2005	32	HB2303	A	Occupations Code 1702 et seq	Duplicates rules for security officers - already entered. 2005
2005	D	HB3376	A	Penal Code 71.02(a)(10)	Adds a reference to a money-fraud statute. 2005
2005	81	SB9	A	Penal Code 30.05(b)(7)	Defines "critical infrastructure facility," used in connection with new terrorism laws. Exempts proper employees from certain trespass restrictions. 2005
2005	D	SB60	A	Penal Code 12.31(a), (b)	Capital felony life imprisonment has no parole. 2005
2005	D	SB60	A	Penal Code 8.07(d) [was (c)]	No death penalty for perp under 18. 2005
2005	D	SB91	A	Penal Code 22.01(b)	Redefine family members for assault statute. 2005
2005	D	SB91	A	Penal Code 22.01(f)	Apply the new definitions from above. 2005
2005	D	SB91	A	Penal Code 22.02(b)	Aggravated assault with a firearm, on a family member as newly defined, is a first degree felony. 2005
2005	D	SB526	R	Local Gov Code 118.011	CHL mental-health background check fee repealed (fees have been reorganized and renumbered). 2005
2005	D	SB578	A	Penal Code 46.15(a)	(U) "Arm the government" Expands LEOs exempt from carry bans the public must endure to any peace officer, allows proficiency certificates for retired state or federal agents from local or state agencies (formerly just state). 2005
2005	D	SB578	R	Penal Code 46.15(g)	(U) "Arm the government" Defined reciprocal states for police, now covered under national cop carry. (from SB103 in 2003). 2005
2005	30, 40	SB578	A	Occ Code 1701.357(a-d), (i)	(U) "Arm the government" Expands the officials who are exempt from carry bans, including those retired with 15 years of service (used to be 20); authorizes weapon proficiency tests for retirees to comply with federal national cop carry. 2005
2005	102	SB734	A	Agriculture Code 251.005	(U) City requirements for agricultural operations outside city limits can only regulate discharging firearms according to new statute Local Government Code 229.002. The prior city power (not noted in TGOG) is repealed. 2005
2005	102	SB734	A	Local Gov Code 43.002	(U) Any city regulation on the discharge of firearms must conform to new statute Local Government Code 229.002. 2005
2005	102	SB734	N	Local Gov Code 229.002	(U) Cities cannot regulate discharge of firearms on specified lands outside their boundaries, where they do have some regulatory powers, for various gun, air gun, and bow and arrow, depending on acreage, proximity of nearby residences, and safety factors. 2005
2005	D	SB1791	A	Penal Code 19.03	"Arm the government" Adds retaliatory killing of certain court personnel to capital murder law. 2005