



Update for 2013

New gun laws for Texans!

These are included and explained in full detail in *The Texas Gun Owner's Guide*, new edition 8, Copyright 2014, release date October 2013. The DPS website may not have caught up with all these changes, but will as soon as they are able.

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SB 299 Inadvertent display: Protects CHL licensees against charges of unlawful carry for the inadvertent or accidental display of a handgun (such as if it "prints" through clothing or is momentarily revealed outside its concealment) by a Concealed Handgun Licensee (CHL). (Effective 9/1/13)

SB 864 CHL Instruction Time: Reduces the required number of classroom training hours for original CHL licenses to 4–6 hours, from the previous 10–15 hours. Range time to qualify is in addition to the classroom requirement (the shooting test remains unchanged). The four course requirements are set out in statute, and backed up with 21 pages of outline on the CHL password-protected section of the DPS website. The statutory requirements are: 1–The laws that relate to weapons and the use of deadly force; 2–Handgun use and safety; 3–Non-violent dispute resolution; and 4–Proper storage practices for handguns with an emphasis on storage practices to eliminate the possibility of accidental injury to a child. (Effective 9/1/13)

SB 1907 Firearms in Cars: Prohibits public and private colleges and universities from adopting or enforcing policies restricting the possession, transportation and storage of any lawfully owned firearms and ammunition by CHLs in their locked, privately owned motor vehicles while driving through or parking on campus. A much needed enhancement to the Motorist Protection Act. (Effective 9/1/13)

SB 987 State Preemption Injunction: Allows the Texas Attorney General to seek a temporary or permanent injunction against a city or county that adopts a regulation in violation of the State Firearms Preemption Statute. Puts teeth in the preemption law. (Effective Immediately)

SB 1400 BB and Air Guns Inclusion: Protects BB guns and other air guns against most local regulations by including them in State Firearms Preemption Statute. (Effective Immediately)

SB 1857 School Safety Certificates: Directs the Texas DPS to establish a process by which qualified concealed handgun instructors may obtain additional certification in "school safety." Successful completion of this advanced training (15–20 hours) would allow the instructor to teach these advanced security techniques to employees of school districts or open-enrollment charter schools who hold CHLs. It appears that this is intended to prepare CHL instructors to be involved in some facet of training for school marshals, see HB1009, and new GC §411.1901. (Effective 9/1/13)

HB 48 CHL No Class Renewals: Streamlines the process for renewal of an expired CHL by eliminating the continuing education requirement and handgun proficiency demonstration (shooting test). Applicants would still be required to renew their licenses every five years, but they will be provided with an information form regarding pertinent and current firearms and deadly force laws, that they will have to sign and turn in with the CHL renewal application. Renewal applications can be submitted on the Internet. Many of the formerly in-person processes can now be handled online. (Effective 9/1/13)

HB 333 Firearms in Hotels: Requires hotels that decide to restrict the possession, storage or transportation of firearms to notify guests of such policies on their websites or when confirming reservations. Provides misdemeanor penalties for failure to comply. (Effective 9/1/13)

HB 485 CHL Renewal Fees: Reduces fees for original and renewal CHL charges to veterans who are honorably discharged after at least one year of military service, reserve & part-time peace officers, Texas Dept. of Criminal Justice (TDCJ) correctional officers and members of the Texas Military Forces from \$70 to \$35, respectively, to \$25. The complex set of discount fees are listed on the forms, available online on the DPS website. (Note that some of the online material is still being updated.) (Effective 9/1/13)

HB 698 CHL Fingerprints: Requires DPS to establish procedures for the submission of fingerprints by CHL applicants who live in counties with populations less than 46,000 and do not live within 25 miles of a designated facility capable of processing them digitally or electronically. Availability of such services continues to be a problem in rural areas, as the state currently only contracts with one company (MorphoTrust USA). (Effective 9/1/13)

HB 1009 School Marshals: The "Protection of Texas Children Act" creates a new category of quasi law enforcement called a "school marshal" in public K–12 schools and charters. Marshals will be authorized to carry a gun and their identity would only be known to the school's head administrator and law enforcement. If working in a classroom or around children, the school marshal's weapon will be locked away but within reach. In order to become a school marshal, applicants would have to complete an intensive training program to be developed by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE). However, the program would also be open to any employee of a school district or open-enrollment charter school who has a CHL. The governing bodies of the institutions would decide whether to appoint school marshals to certain schools.

Training: at least 80 hours of instruction on strategies for preventing school shootings and securing the safety of potential victims, legal issues relating to police officer duties and the use of force and deadly force in protection of others, effective law-enforcement strategies and techniques, improved proficiency with a handgun, and responding to an emergency requiring deadly force, such as a situation involving an active shooter. The candidate must also undergo and pass a psychological evaluation, and more. Licenses will be valid for two years, standards are expected by Jan. 1, 2014. (Effective Immediately)

HB 1349 CHL No SSN Required: Prohibits the Texas DPS from requesting or requiring that an applicant's social security number be disclosed for obtaining an original or renewal CHL. (Note that the website and paperwork has not yet been updated.) (Effective Jan 1, 2014)

HB 1421 Seizure and Sale: Allows firearms seized by law enforcement in connection with a crime, and not returnable to a rightful owner, to be sold at a public sale to a federal firearms licensed dealers rather than be destroyed. Proceeds go to the law enforcement agency that seized it. (Effective 9/1/13)

HB 3142 CHL Handgun Category Removed: Eliminates the SA and NSA handgun categories by repealing both the requirement that CHL applicants demonstrate proficiency with specific categories of handgun (semi-automatic or non-semi-automatic) and the limitation on CHLs carrying the category of handgun with which they qualified. (Instructors still must qualify with both types, even though the terms SA and NSA no longer apply.) (Effective Immediately)

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