



Constitutional Carry in Texas

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Intro

What is “Constitutional Carry”?

Who can carry in Texas?

What can they carry under this new law?

What are the limitations?

What is Hays County’s position on enforcement?

What is “Constitutional Carry”?

- Constitutional Carry refers to the second amendment right of the people to keep and bear arms.
- It is the State’s reinforcement and application of that right.
- Like all our constitutional rights, it applies only to governmental interference.
- Refers ONLY to carry without a license.
 - There are a handful of places where LTC can carry, but unlicensed cannot.
- Residency is not a prerequisite.

Who can carry in Texas?

21 years old or older

Not prohibited from purchase/ownership by Federal or State law

The following are PROHIBITED:

- Federal Prohibitions:
 - *Felons (Imprisonment for more than 1 year)*
 - *Fugitives (over State lines)*
 - *Addicts*
 - *Mental Defective (Adjudicated)*
 - *Illegal or Non-exempt Aliens*
 - *Dishonorably Discharged*
 - *Protective Order*
 - *Domestic Violence Conviction*

Who can carry in Texas? (Continued)

State Felony Conviction

Misdemeanor Assault (Bodily Injury)

Misdemeanor Family Violence

Respondent in a Protective Order

Deadly Conduct (Misdemeanor)

Terroristic Threat (Misdemeanor)

Misdemeanor Disorderly Conduct (Discharge or Display)

What can you carry under this new law?

This law applies to handguns only.



What are the limitations?

- Refers only to public/non-prohibited places
- Must be carried and maintained in a holster
- Must not be intoxicated
- Must not be committing a crime (other than fine only traffic) while carrying.
- Certain Locations





What are the limitations?

Must be carried and maintained in a holster

Prohibited Locations:

- Sec. 46.03. PLACES WEAPONS PROHIBITED

- Schools (Primary and Secondary) – Including school events.
- Colleges and Universities – Including school events.
- Polling Places (Voting in progress).
- Courts and Court Offices.
- Government Meetings.
- Racetracks (Parimutuel Wagering).
- Secured Area of Airports.
- Within 1000 feet Execution Site.
- Professional Sporting Events
- Amusement Parks
- Correctional Facilities
- Civil Commitment Facility
- Mental Hospital.
- Hospital and Nursing Homes.
- Bar (51%)

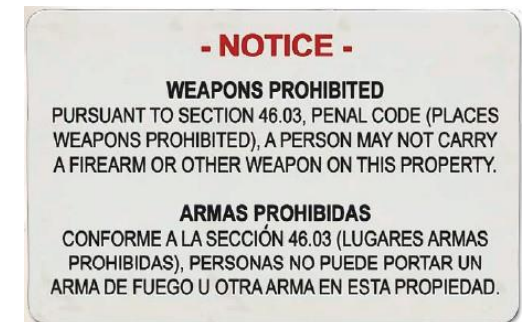
Prohibited Locations:



- Sec. 46.03. PLACES WEAPONS PROHIBITED

Prohibited Locations:

- Sec. 30.05. CRIMINAL TRESPASS
- Constitutional Carry Only



Prohibited Locations:



- 30.06 and 30.07 Signage:
- License Holders

What is Hays County's position on enforcement?

Plain language:

There needs to be a nexus to a lawful investigative detention or arrest for a criminal offense.

Reasonable belief (supported by facts and circumstances) that the disarming is a necessary safety precaution.