



HB 1407 by Schaefer – LTC car carry clarification

SUPPORT

Homeland Security & Public Safety Hearing, 3/18/21

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Explanation of the bill:

This bill clarifies that LTC (license to carry) holders are **not** committing a criminal offense by carrying a holstered handgun in a vehicle in plain sight even if the holster is not a belt or shoulder holster.

Notes:

Multiple major changes to Texas gun law have resulted in complex confusion:

- In 1871, the Legislature banned carry of handguns outside one's home
- In 1995, the Legislature allowed concealed carry of handguns by license holders
- In 2007, the Legislature allowed carry of handguns in motor vehicles as long as the handgun was **not "in plain view,"** and the person was not prohibited from possessing a firearm, not a part of a criminal street gang, and not committing any crime, other than a class C misdemeanor
- In 2015, the Legislature allowed license holders to carry a handgun that was partially or wholly visible, as long as the handgun was carried in a **"belt or shoulder holster"**

As a result of all of these layered changes, license holders are not sure if the law allows them to put a handgun in an ankle holster on the front seat of their car without covering it – or in a magnetic car holster where it could be visible.

HB 1407 clarifies that license holders may have their handguns in their cars, visible, in a holster, whether the or not the holster is a belt or shoulder holster.