

Handgun Use:

- You should always treat a handgun as if it is loaded
- You should always keep your finger off of the trigger until you are ready to shoot
- A “safety” device on a handgun does not guarantee the handgun will not fire. A “safety” is a mechanical device that can fail
- A handgun should be maintained by keeping it clean and lubricated
- When practicing shooting, you should wear appropriate clothing, hat, eye protection and hearing protection
- When shooting a firearm, a shooter should know the target, the backstop and what is beyond

Safe and Proper Storage of Handguns and Ammunition

- Handguns should be stored in a place that is not accessible to children and unauthorized persons
- A child, according to Penal Code 46.13, is a person who is younger than 17 years of age
- A person is subject to criminal prosecution if a child gains access to a readily dischargeable firearm because a person left the firearm in a place they knew, or should have known, the child would gain access
- A “readily dischargeable firearm” is a firearm that is loaded with ammunition whether or not a round is in the chamber
- Hiding a loaded handgun is not a legally acceptable way to prevent children from gaining access to it
- To legally prevent a child from gaining access to your readily dischargeable (unsupervised, loaded) firearm, the only acceptable option is to securely lock the gun away (i.e. trigger lock, gun safe, etc.)
- If a child gains access to a readily dischargeable firearm and someone is seriously injured or killed as a result, the owner can be charged with a Class A misdemeanor
- If a child gains access to a readily dischargeable firearm, the owner can be charge with a Class C misdemeanor

Lawful Carry:

- A Texas LTC is only valid for the license holder
- A license holder is not allowed to let non-LTC’s borrow their handgun to carry out in public
- Non-LTC’s cannot carry your handgun for you in public
- You don’t need a LTC permit to keep a handgun in your vehicle or home
- Persons licensed to carry a handgun under Subchapter H Chapter411, Texas Government Code, will be allowed to openly carry a handgun in the same places that allow concealed carry with some exceptions, provide the handgun is carried in a shoulder or belt holster
- Exceptions Open carry is not permitted by a license holder regardless of whether the handgun is holstered: on the premises of an institution of higher education or private or independent institution of higher education on any public or private driveway, street, sidewalk or walkway, parking lot, parking garage or other parking area of an institution of higher education or private or independent institution of higher education by an individual who is acting as a personal protection officer under Chapter 1702, Occupations Code and is not wearing a uniform

- Places where a license holder is prohibited from entering while armed even with a valid LTC:
 - A business that derives 51% of income from the sale of alcohol for on premises consumption
 - High school, collegiate or professional sporting event
 - Polling place on the day of an election or early voting
 - Into a secured area of an airport
 - Racetrack
 - Correctional facility
 - Hospital or nursing home
 - Within 1000 feet of a TDCJ place of execution
 - Amusement park
 - Meeting of a government entity
- LTC holders must watch for and obey “30.06”, “30.07” and “51%” signs
- A sign with a large “51%” is used to prohibit the carrying of a handgun on the premises of a business that derives 51% or more of its income from the sale of alcohol for “on premises” consumption
- A license holder commits an offense if he or she carries a handgun on the property of another without effective consent and received notice under Penal Code 30.06 and 30.07
- A license holder has defense to prosecution for the offense of trespass by certain persons carrying handguns. When the license holder was personally given notice by oral communication and promptly departed from the property
- A license holder has defense to prosecution for the offense of Carrying, storage, or possession of a firearm or firearm ammunition by certain persons on certain residential or commercial property. Who are the owners, tenants, or guests.
- This prohibits landlords from restricting tenants and their guests from possessing firearms and ammunition, unless possession on a landlord’s property is prohibited by state or federal law
- Schools can no longer regulate how guns and ammunition are stored in a vehicle for LTC holders. The intent of this was for teachers with an LTC. In the past, the school could require them to park off campus. After this update, as long as you have an LTC and the firearm and ammunition are not in plain view, the school cannot tell you how to store it in the vehicle.
- Campus Carry- Authorizes a license holder to carry a concealed handgun on or about the license holder's person while the license holder is on the campus of an institution of higher education or private or independent institution of higher education in this state. Open carrying of handguns is still prohibited at these locations.
- Authorizes an institution of higher education or private or independent institution of higher education in this state to establish rules, regulation, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution.
- Requires the president or other chief executive officer of an institution of higher education in this state to establish reasonable rules, regulations, or other provisions regarding the carrying of concealed handguns by license holders on the campus or on specific premises located on the campus.

- Authorizes posting of a sign under Penal Code Section 30.06 with respect to any portion of a premises on which license holders may not carry for institutions of higher education.
- The effective date of this law for a public junior college is August 1, 2017
- Premises, under PC 46.035 (f) (3), is a building or a portion of a building. It does not include any private driveway, street, sidewalk or walkway, parking lot, parking garage or other parking area
- The only lawful way to enter prohibited areas is to securely lock the handgun out of sight in your vehicle and proceed unarmed
- A license holder does not have arrest privileges and should never expect the police to cut them any slack
- It is illegal for a LTC holder to carry handgun when they do not have normal use of mental or physical faculties by reason of introduction of alcohol, controlled substance, drug, dangerous drug, combination of two or more substances or any other substance in the body or alcohol concentration of .08 or more (intoxication)
- When a peace officer demands identification, the license holder is required to display either the driver's license (or Texas ID card) and LTC handgun license while carrying a handgun (Do it anyway)
- When pulled over on a routine traffic stop, a license holder should observe the following procedures:
 - Roll down the window before the officer approaches (Crack the window for communication until you can identify it is a peace officer)
 - Keep both hands in plain sight on top of the steering wheel
 - Give the officer both driver's license and LTC handgun license
 - If your windows are tinted and it is night time turn on dome light. It will help they peace officer visually
- A law enforcement officer is allowed to disarm a LTC holder anytime he or she reasonably believes someone's safety is at risk but must return the handgun before leaving the scene if no arrest is made
- If a LTC holder is arrested and taken into custody, the arresting officer is authorized to seize both the license and the handgun
 - Reciprocity – A Texas LTC is valid in this state and every state that honors our permit - When carrying a handgun in another state under the authority of a reciprocity agreement, a Texas LTC holder must abide by the laws of that state. The DPS website is a good place to find out which states recognize a Texas permit
- When taking a flight to another state which honors a Texas permit, check with the airports and states for rules and laws. To take your handgun along, you must unload it before hand, declare it as checked luggage, check the handgun in at the airline counter outside the secured area and then place it in a lockable case
- An employer has the right to prevent licensed employees from carrying a handgun in the workplace with a simple "No Guns Allowed" sign. This sign does not have to meet the posting requirements of section 30.06 or 30.07
- Carrying a weapon during a state of disaster. Non-Applicability, provides that certain places where the carrying of a handgun is prohibited does not apply in situations where the premises is operating as an emergency shelter during a state of disaster and the owner, controller, operator, or person of apparent authority authorized the carrying of a handgun in the shelter

- Provides that a state agency or political subdivision of this state may not take any action to prohibit a License to Carry (LTC) holder from the lawful carrying of a handgun on the premises or other place owned or leased by that governmental authority.
- A state agency or political subdivision, such as a city or county, cannot prohibit LTC holders from carrying on the city or county property. An example of this is the City of Austin attempting to prevent people from carrying at the Austin Airport and City Hall.
- Revisions to Unlawful Carry of a Weapon. Clubs and knuckles can be carried anywhere other than places weapons are prohibited in 46.03.
- Regulation of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories by a county or municipality. A city or county cannot create ordinances that restrict carry of a firearm in public.
- HOA cannot restrict the lawful possession of firearms in a community
- House Bill 2363 - allows foster parents to store firearms in a safe and secure manner while making them more readily accessible for personal protection purposes
- House Bill 3231 - improves and modernizes the state's firearms preemption law, curbs the ability of municipalities to abuse their zoning authority and circumvent state law to restrict the sale or transfer of firearms and ammunition at the local level, and allows the State Attorney General to recover reasonable expenses incurred when obtaining injunctions against localities which violate the preemption statute
- Senate Bill 772 - provides civil liability protection to business establishments which choose not to post 30.06/30.07 signs, making them less vulnerable to frivolous lawsuits and giving them an incentive to adopt permissive policies for the carrying of handguns by law-abiding citizens on their premises

Use of Force:

- Situational awareness is paying attention to your physical surroundings, the people around you and being safety conscious at all times
- The purpose of using deadly force is to STOP the threat and is only be used as a last resort
- Deadly force is justified to prevent the imminent commission of aggravated kidnapping, murder, sexual assault, robbery and aggravated robbery.
- Innocent bystanders, the actual threat and the severity of the threat should be considered before using deadly force
- A LTC holder can still face criminal charges and/or a civil lawsuit, even if he or she is justified in using deadly force
- A license holder does not have a defense to prosecution in criminal proceedings for recklessly injuring or killing an innocent third person
- Penal Code SS 9.31 does not require a person to "retreat" if the person has a right to be present where the force is used, has not provoked the person against whom the force is used and not engaged in criminal activity at the time the force is used
- Deadly force is defined as a force that is intended or known by the actor to cause, or in the manner of its use is capable of causing death or serious bodily injury

Non-Violent Dispute Resolution:

- The best way to neutralize negative behavior in another person is through effective dispute resolution – not physical force
- There are four elements to any conversation: Sender, message, receiver and feedback. Feedback is the most important to ensure that your message was delivered or received correctly.
- Miscommunication can occur when barriers are present (culture age, language differences), emotions get in the way of rational thought, and body language is misinterpreted or ignored.
- In the Ego State Theory, behavior can be classified as falling into the following “ego states”: “child”, “parent” or the “adult”. An individual in the “adult” ego state carefully assesses the situation. In a conflict situation, remaining in the “adult” state enables those involved to keep their self-respect and save face.
- In a simple two-person conversation, there were actually had six different identities present. These identities are – two real, two projecting and two receiving people.
- In his book Verbal Judo, Dr. George Thompson offers the following advice, “Never use the first words that rise readily to your lips”. In layman’s terms, this translates to: think before you speak.
- A license holder should always remember to respond, rather than react to what other people have to say.

Handgun restraint:

- Will generally not fall during movement or activity of the person
- Cannot be easily removed by another person
- Is readily available for the person carrying the handgun

Application:

- A person must be 21 years of age or older to apply for a License to carry a handgun permit. A person who is 18 and on active duty in the military can apply for a license
- To be eligible for a license, the license holder must be capable of successfully passing the FBI background
- According to the DPS – probation, plea agreements and deferred adjudication for a Class A or Class B Misdemeanor are all weighted the same as a “conviction”
- To obtain a concealed handgun license, you must be capable of understanding safe handling and storage of firearms (i.e. no disqualifying psychiatric conditions, etc.)
- The DPS does not disclose the contents of a license application nor releases mailing lists of licensees to anyone except law enforcement agencies
- A licensee can renew a license 6 months before expiration and one year after expiration. Otherwise, the applicant must go take a training class and go through the licensing procedure again. A licensee cannot carry a handgun after a license has expired
- A LTC instructor cannot waive classroom or shooting requirements, even if the instructor knows the student is proficient
- The shooting proficiency test requires the use of a “B-27” target in four acceptable colors: Black, blue, green or red

General:

- A license holder has 30 days to notify the DPS of an address or name change
- A LTC may be suspended if the license holder fails to return a previously issued license after a duplicate license was received in the mail
- A LTC license may be revoked:
 - If the license holder was not entitled to receive one at the time of issuance
 - If the license holder subsequently becomes ineligible for the license
 - If the license holder is convicted of “Unlawful Carry of a Weapon “
 - If the license holder gave false information on the application, or failed to disclose a material fact.

Penal Code Offenses by Punishment Range

Office of the Attorney General

Offense	Punishment
Capital Felony	<p>[Tex. Penal Code Ann. §12.31]</p> <p>If the individual is found guilty and the state seeks the death penalty:</p> <ul style="list-style-type: none">• Imprisonment in the institutional division for life without the possibility of parole, or• Death <p>If the individual is found guilty and the state does not seek the death penalty:</p> <ul style="list-style-type: none">• Imprisonment in the institutional division for life without the possibility of parole• However, an individual under the age of 18 at the time of the offense as well as a certified juvenile are no longer eligible for life without parole.
First Degree Felony	<p>[Tex. Penal Code §12.32]</p> <ul style="list-style-type: none">• Imprisonment in the institutional division for life, or• Imprisonment in the institutional division for not more than 99 years or less than five years with the exception of aggravated sexual assault, which adds a 25-year minimum punishment if the victim is younger than 6, or younger than 14 and the offense contained threats of serious bodily injury or death, or use of a deadly weapon• In addition to imprisonment, may receive a fine not to exceed \$10,000
Second Degree Felony	<p>[Tex. Penal Code §12.33]</p> <ul style="list-style-type: none">• Imprisonment in the institutional division for not more than 20 years or less than two years• In addition to imprisonment, may receive a fine not to exceed \$10,000
Third Degree Felony	<p>[Tex. Penal Code §12.34]</p> <ul style="list-style-type: none">• Imprisonment in the institutional division for not more than 10 years or less than two years• In addition to imprisonment, may receive a fine not to exceed \$10,000
State Jail Felony	<p>[Tex. Penal Code §12.35 (a), (b)]</p> <ul style="list-style-type: none">• Confinement in a state jail for not more than two years and not less than 180 days• In addition to confinement, may receive a fine not to exceed \$10,000
Class A Misdemeanor	<p>[Tex. Penal Code §12.21]</p> <ul style="list-style-type: none">• Confinement in jail for a term not to exceed one year• Fine not to exceed \$4,000• Both such fine and confinement
Class B Misdemeanor	<p>[Tex. Penal Code §12.22]</p> <ul style="list-style-type: none">• Confinement in jail for a term not to exceed 180 days• Fine not to exceed \$2,000• Both such fine and confinement
Class C Misdemeanor	<p>[Tex. Penal Code §12.23]</p> <ul style="list-style-type: none">• Fine not to exceed \$500



www.txhga.org

TEXAS HANDGUN ASSOCIATION

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NEW Membership Application

(For information on membership benefits, please go to <http://txhga.org/membership/>)

Join today and save up to \$15.00 off an annual membership!

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City _____ County _____ State _____ Zip Code _____

Mailing Address (if different) _____

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Membership Category: [Mark (X) By All That Apply]

Texas License to Carry (LTC) ☐ Permit Holder # or ☐ Instructor # _____

Out-of-State Concealed Handgun License ☐ Permit Holder # or ☐ Instructor # _____

Active or Retired Law Enforcement Officer ☐ or ☐ Concerned Citizen

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Card Number _____ Expiration Date (mm/yy) _____ CVV Code _____

Referred to the association by: Richard Buchfink

As a member of the Texas Handgun Association, I will

- 1) Promote informed responsible handgun safety, ownership and education,
- 2) Uphold the Federal and Texas Constitutional rights and privileges of every law-abiding person to own, possess and use firearms,
and
- 3) Support the Texas Handgun Association's legislative and regulatory advocacy mission.

Signature _____ Date _____

Membership dues payable to the Texas Handgun Association (TxHGA) are not tax deductible for federal income tax purposes

TxHGA Use Only

(Revised 1/15/2020)

Date Pymt Processed: _____	New <input type="checkbox"/>	Current Expiration (MM/YY): _____
Date Submitted to Acct: _____	# _____	New Expiration (MM/YY): _____