

Thanks for visiting our website and requesting information. This will be the first of what we hope will be a newsletter to keep you up-dated on laws, ideas, and events in the world of concealed carry.

As most of you know, my wife Dottie is my assistant in the classes. She has retired and we are working to set up some additional self-defense or concealed carry type schools to give people some principles of safety, practice, and keep you up-dated between your re-certifications. Also we are planning to set up some basic pistol classes for those who just want to begin somewhere and some advanced training for more ideas on carrying and defending yourself.

At this time, we are teaching 5 to 7 chl-license classes a month and you can go on the website to see when and where they are. If you are looking for places to shoot (since several ranges have closed now), the Austin Rifle Club has a nice range (except in wet weather) (www.austinrifleclub.org) or there is a private range now about 15 miles south of the Airport of Highway 183. It is the Lone Star Range and they have daily rates and annual memberships. (<http://www.ctxpta.com>) (512/801 2624). Both are well kept and regulated for safety.

The 80th Legislature passed and Governor Perry signed into law several bills that pertain to the persons who carry firearms. The following are the Legislative summaries of the bills.

House Bill 1815 amends the Penal Code to modify the conduct that constitutes the offense of unlawful carrying of a weapon to exclude a person carrying a handgun, illegal knife, or club on the person's own premises or premises under the person's control or inside of or directly en route to a motor vehicle that is owned by the person or under the person's control. The bill makes it an offense to intentionally, knowingly, or recklessly carry a handgun in a motor vehicle that is owned by the person or under the person's control if the handgun is in plain view or the person is engaged in certain criminal activity, is prohibited from possessing a firearm, or is a member of a criminal street gang. The bill deletes provisions that made the prohibitions under the offense of unlawful carrying of a weapon inapplicable to certain persons, including a person on the person's own premises or on premises under the person's control.

House Bill 991 amends the Government Code to remove the requirement for the Department of Public Safety to disclose to any person other than a state or local law enforcement agency whether a named individual holds a concealed handgun license

House Bill 1839 amends the Government Code to change the time frame within which a person applying for a third or subsequent renewal of a license to carry a concealed handgun must complete a continuing education course in handgun proficiency and obtain a handgun proficiency certificate, to ensure that the license holder is not required to complete the course or obtain the certificate more than once in any 10-year period.

Previous law made it an offense to exhibit or use, or threaten to exhibit or use, a firearm in a manner that interferes with the normal use of a building or portion of a school campus or of a school bus. House Bill 2112 amends the Education Code to add to the conditions that must be present to constitute an offense that such use, exhibition, or threat is made in a manner intended to cause alarm or personal injury to another or to damage school property. The bill expands the places in which such conduct is prohibited to include in or on any school property, including a parking lot, parking garage, or other parking area.

Senate Bill 112 amends the Government Code and Local Government Code to authorize a peace officer, during a state of disaster or a state of emergency, to disarm an individual lawfully carrying or possessing any firearm or ammunition if the officer reasonably believes it necessary for the protection of the officer or another individual. The bill requires the officer to return the firearm or ammunition to the individual before ceasing to detain the individual unless the officer arrests the individual or seizes the firearm as evidence in a criminal investigation.

Senate Bill 535 amends the Parks and Wildlife Code to add a person who possesses or shoots a concealed handgun under certain circumstances to the law providing exceptions to the prohibition against hunting with, possessing, or shooting a weapon on or across the land of the Lower Colorado River Authority (LCRA). The bill prohibits a state agency, including the LCRA, from adopting a rule that is inconsistent with the exception added by this bill.

Senate Bill 378 amends provisions of the Penal Code and the Code of Criminal Procedure relating to the use of force or deadly force in defense of a person. The bill creates a presumption of reasonableness for the belief of a person who takes such action that the use of force or deadly force to protect the actor was immediately necessary and provides that the presumption would be reasonable if the actor:

- 1) knew or had reason to believe that the person against whom the force or deadly force was used unlawfully and with force entered, or attempted to enter, the actor's home, vehicle, or place of business or employment; unlawfully and with force removed, or attempted to remove, the actor from the home, vehicle, or place of business or employment; or was committing or attempting to commit certain serious crimes;
- 2) did not provoke the person against whom the force or deadly force was used; and
- 3) was not otherwise engaged in certain criminal activity at the time the force or deadly force was used.

The bill provides that an actor who has a right to be present at the location where the force or deadly force is used, who has not provoked the person against whom the force is used, and who is not engaged in criminal activity at that time is not required to retreat before using force or deadly force.

Senate Bill 378 also provides immunity from civil liability for a personal injury or death resulting from the use of force or deadly force to a defendant who was justified under the law in using such force or deadly force.

Senate Bill 1470 amends the Code of Criminal Procedure to require a judge, before accepting a plea of guilty or nolo contendere from a defendant, to notify the defendant that it is unlawful for the defendant to possess or transfer a firearm or ammunition if the defendant is convicted of a misdemeanor involving family violence. The same notification is to be given to a defendant upon conviction for such an offense.

Senate Bill 1709 amends the Government Code to authorize a peace officer to temporarily disarm a concealed handgun license holder when that person enters a nonpublic, secure portion of a law enforcement facility that is used for the official business of peace officers, if the agency provides a gun locker where the gun can be secured. The law enforcement agency is required to prominently post signs to notify license holders of this authorization.

Not sure all of these will improve our carry situation and time will tell how they are accepted and interpreted by the Courts. Keep in touch if you have events that might be interesting to others or questions about any of the new rules.

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