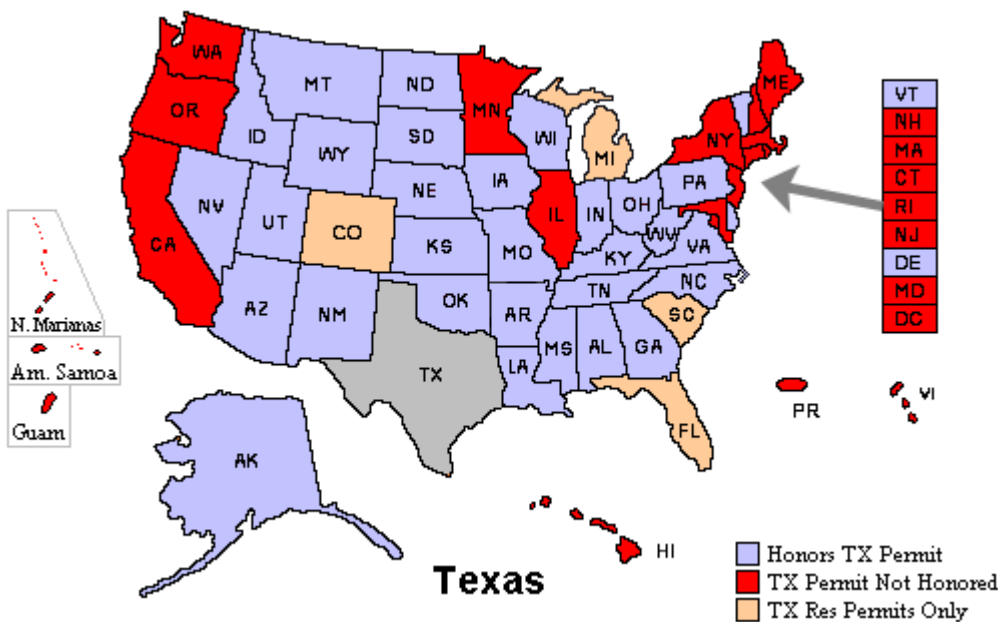


# Texas

Shall Issue

Must Inform Officer Immediately: **YES**

(See Must Inform Section Below)



## Texas CCW Links

[State CCW Site](#)

[CCW Related Laws](#)

[Printed Application](#)

[Forms](#)

[Apply/Renew Online](#)

[State FAQ Site](#)

[State Statutes](#)

[State Admin Rules](#)

[State Reciprocity Info](#)

[State Attorney General](#)

[CHL Administrative Rules](#)

[Secretary of State](#)

[Last Updated: 2/10/18](#)

**Note:** [Alaska](#), [Arizona](#), [Kansas](#), [Maine](#), [Mississippi](#), [Missouri](#), [New Hampshire](#), [Vermont](#) and [West Virginia](#) have “Permitless Carry.” Anyone who can legally possess a firearm may carry it concealed in those states without a Permit/License. Check each states page for more information and any restrictions that may apply.

[Idaho](#), [North Dakota](#) and [Wyoming](#) have “Permitless Carry” for their Residents only.

## Permits/Licenses This State Honors Listed Below

|                |                   |            |              |                           |
|----------------|-------------------|------------|--------------|---------------------------|
| Alabama        | Alaska            | Arizona    | Arkansas     | California                |
| Colorado       | Connecticut       | Delaware   | Florida      | Georgia                   |
| Hawaii         | Idaho             | Illinois   | Indiana      | Iowa                      |
| Kansas         | Kentucky          | Louisiana  | Maryland     | Massachusetts             |
| Michigan       | Mississippi       | Missouri   | Montana      | Nebraska                  |
| Nevada         | New Jersey        | New Mexico | New York     | North Carolina            |
| North Dakota   | <sup>2</sup> Ohio | Oklahoma   | Pennsylvania | <sup>1</sup> Rhode Island |
| South Carolina | South Dakota      | Tennessee  | Utah         | Virginia                  |
| Washington     | West Virginia     | Wyoming    |              |                           |

**Texas Honors Non-Resident Permits/Licenses From the States They Honor.** (Must be 21 Years of Age)

<sup>1</sup>Rhode Island – Texas only honors RI Permits issued by the Attorney General of Rhode Island.

<sup>2</sup>Ohio - Texas only honors Ohio Permits issued/renewed on or after 3/23/15.

## Reciprocity/How This State Honors Other States Permit/Licenses

[Government Code 411.173](#) Nonresident License.

[www.handgunlaw.us](http://www.handgunlaw.us)

(b) The governor shall negotiate an agreement with any other state that provides for the issuance of a license to carry a handgun under which a license issued by the other state is recognized in this state or shall issue a proclamation that a license issued by the other state is recognized in this state if the attorney general of the State of Texas determines that a background check of each applicant for a license issued by that state is initiated by state or local authorities or an agent of the state or local authorities before the license is issued. For purposes of this subsection, "background check" means a search of the National Crime Information Center database and the Interstate Identification Index maintained by the Federal Bureau of Investigation.

(c) The attorney general of the State of Texas shall annually:

(1) submit a report to the governor, lieutenant governor, and speaker of the house of representatives listing the states the attorney general has determined qualify for recognition under Subsection (b); and

(2) review the statutes of states that the attorney general has determined do not qualify for recognition under Subsection (b) to determine the changes to their statutes that are necessary to qualify for recognition under that subsection.

(d) The attorney general of the State of Texas shall submit the report required by Subsection (c)(1) not later than January 1 of each calendar year.

**Note:** To view the signed agreements that Texas has go [Here](#) and click on the drop down menu.

## How to Apply for a Permit

**Note: The Texas DPS States:** Applicants for an original (first-time) LTC should submit an online application, and schedule an appointment for fingerprinting. Applicants must also complete four to six hours of classroom training, pass a written examination and pass a proficiency demonstration (shooting). All classroom and proficiency must be conducted in Texas by a LTC instructor certified by DPS.

Upon successful completion of the training class, the instructor should provide each student with a Certificate of Training (CHL-100). It is the student's responsibility to submit this form to DPS to complete the application. Instructors should not submit the form for the student.

**Note:** The Classroom part of the training is now allowed to take place online. Contact [State Approved Instructors](#) for more information.

For detailed information regarding [Training Requirements](#) and to [Locate a Certified LTC Instructor](#).

You may apply online [Here](#) or print, fill out and mail in the appropriate forms under [Downloadable Forms](#) in the left-hand navigation bar of the CHL Website. Additionally, some instructors may provide the required forms for students.

Or contact the DPS at the Address Below.

Texas Department of Public Safety  
Concealed Handgun - MSC 0245  
PO Box 4087  
Austin, TX 78773-0001  
**Contact us by phone:** (512) 424-7293

CHL applicants **must have done one of the following** to schedule an appointment with MorphoTrust USA (formerly L-1 Identity Solutions):

1. An **online application** must have been submitted, **OR**
2. TXDPS must be in receipt of the **paper CHL application**.
  - a. Applicants who choose to submit a paper application must wait to schedule their [MorphoTrust USA](#) (formerly L-1 Identity Solutions) appointment after the application has been processed through the mail and they have received confirmation the application has been entered into the CHL database.

To reduce processing time, TXDPS encourages all applicants to utilize the secure online application.

### **Age Requirements:**

An applicant must be 21 years of age to submit an application for a Texas Handgun License **OR** must be at least 18 years of age if the applicant:

1. is a member or veteran of the United States armed forces, including a member or veteran of the reserves or national guard;
2. was discharged under honorable conditions, if discharged from the United States armed forces, reserves, or national guard.

Effective March 1, 2011, all fingerprints for original Handgun License Applications must be submitted through [L-1 Enrollment Services](#). (See [Administrative Rule §6.12](#))

Cost is \$40.00 for initial and \$40.00 for Renewal. Active Military, Honorably Discharged Veterans, Retired Law Enforcement, Senior Citizens and others get a discount. Texas DPS CHL Fee Schedule can be viewed [Here](#).

### **Non-Resident Permits**

You may apply online [Here](#) Or print, fill out and mail in the appropriate forms under [Downloadable Forms](#) in the left-hand navigation bar of the CHL Website. Additionally, some instructors may provide the required forms for students.

In addition to the information required by the Act, an application must contain all the following items:

(1) Proficiency certificate. The applicant must submit a handgun proficiency certificate (TR 100) issued upon successful completion of a handgun proficiency course approved by the department and taught by a certified handgun instructor. A proficiency certificate submitted by an original applicant will not be accepted by the department if it is more than two years old. A proficiency certificate submitted by a renewal applicant will not be accepted by the department if it is more than six months old.

(2) Out-of-state residents need to provide a color copy, front and back, of your state issued identification or driver license.

Effective March 1, 2011, all fingerprints for original Handgun License Applications must be submitted through [L-1 Enrollment Services](#). (See [Administrative Rule §6.12](#))

### **Places Off-Limits Even With a Permit/License**

[Legislative Changes](#) by Senate Bill 11 concerning Campus Carry that takes effect Aug. 1, 2016

### **[Penal Code 46.035](#) Unlawful Carrying of Handgun By License Holder**

(a) A license holder commits an offense if the license holder carries a handgun on or about the license holder's person under the authority of Subchapter H, Chapter 411, Government Code, and intentionally

displays the handgun in plain view of another person in a public place. It is an exception to the application of this subsection that the handgun was partially or wholly visible but was carried in a shoulder or belt holster by the license holder.

**(a-1)** Notwithstanding Subsection (a), a license holder commits an offense if the license holder carries a partially or wholly visible handgun, regardless of whether the handgun is holstered, on or about the license holder's person under the authority of Subchapter H, Chapter 411, Government Code, and intentionally displays the handgun in plain view of another person:

- (1)** on the premises of an institution of higher education or private or independent institution of higher education; or
- (2)** 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.

**(b)** A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun regardless of whether the handgun is concealed or carried in a shoulder or belt holster, on or about the license holder's person:

- (1)** on the premises of a business that has a permit or license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic Beverage Code, if the business derives 51 percent or more of its income from the sale or service of alcoholic beverages for on-premises consumption, as determined by the Texas Alcoholic Beverage Commission under Section 104.06, Alcoholic Beverage Code;
- (2)** on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place, unless the license holder is a participant in the event and a handgun is used in the event;
- (3)** on the premises of a correctional facility;

**Note: The Below Subsections (b)(4), (b)(5), (b)(6), and (c) do not apply if the actor was not given effective notice under Section 30.06 or 30.07. (Posted with Approved Signage)**

- \* (4)** on the premises of a hospital licensed under Chapter 241, Health and Safety Code, or on the premises of a nursing facility licensed under Chapter 242, Health and Safety Code, unless the license holder has written authorization of the hospital or nursing facility [home] administration, as appropriate
- \* (5)** in an amusement park; or
- \* (6)** on the premises of a church, synagogue, or other established place of religious worship.

**\* (c)** A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, at any meeting of a governmental entity.

**\*Subsections (b)(4), (b)(5), (b)(6), and (c) do not apply if the actor was not given effective notice under Section 30.06 or 30.07.**

**(d)** A license holder commits an offense if, while intoxicated, the license holder carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster.

**(e)** A license holder who is licensed as a security officer under Chapter 1702, Occupations Code, and employed as a security officer commits an offense if, while in the course and scope of the security officer's employment, the security officer violates a provision of Subchapter H, Chapter 411, Government Code.

**(f)** In this section:

- (1) "Amusement park" means a permanent indoor or outdoor facility or park where amusement rides are available for use by the public that is located in a county with a population of more than one million, encompasses at least 75 acres in surface area, is enclosed with access only through controlled entries, is open for operation more than 120 days in each calendar year, and has security guards on the premises at all times. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.
- (2) "License holder" means a person licensed to carry a handgun under Subchapter H, Chapter 411, Government Code.
- (3) "Premises" means a building or a portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.
- (1-a) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(g) An offense under this section is a Class A misdemeanor, unless the offense is committed under Subsection (b)(1) or (b)(3), in which event the offense is a felony of the third degree.

(h) It is a defense to prosecution under Subsection (a) or (a-1) that the actor, at the time of the commission of the offense, displayed the handgun under circumstances in which the actor would have been justified in the use of force or deadly force under Chapter 9.

**(i) Subsections (b)(4), (b)(5), (b)(6), and (c) do not apply if the actor was not given effective notice under Section 30.06 or 30.07.**

(j) Subsections (a), (a-1), and (b)(1) do not apply to a historical reenactment performed in compliance with the rules of the Texas Alcoholic Beverage Commission.

#### **[Penal Code §46.03\(a\)\(5\)](#)**

(e-1) It is a defense to prosecution under Subsection (a)(5) that the actor:

- (1) possessed, at the screening checkpoint for the secured area, a concealed handgun that the actor was licensed to carry under Subchapter H, Chapter 411, Government Code; and
- (2) exited the screening checkpoint for the secured area immediately upon completion of the required Screening processes and notification that the actor possessed the handgun.

(e-2) A peace officer investigating conduct that may constitute an offense under Subsection (a)(5) and that consists only of an actor's possession of a handgun that the actor is licensed to carry under Subchapter H, Chapter 411, Government Code, may not arrest the actor for the offense unless:

- (1) the officer advises the actor of the defense available under Subsection (e-1) and gives the actor an opportunity to exit the screening checkpoint for the secured area; and
- (2) the actor does not immediately exit the checkpoint upon completion of the required screening processes.

**Note:** Sec. 2155.101 Thru Sec. 2155.103 states that if a Hotel/Motel has restrictions on firearms on their property they must display that on their website. If a hotel provides a written confirmation or a written statement of terms and conditions to a consumer after accepting the consumer's hotel reservation by telephone, the hotel shall include information specifying how the consumer may review applicable guest policies. The guest policies must indicate the hotel's policy regarding the possession, storage, and transportation of firearms by guests. The hotel can be fined if they do not list their restrictions.

## Campus Carry in Texas

Carry on four year Public College/University, Jr. and Community College Campus requires you have a Texas Permit to Carry or a Permit Texas honors. The firearm must remain concealed as open carry is not permitted on campus. Each school will have a policy (each School sets its own policy and there are differences between Schools) stating their rules on carry on their campus that must be available to the public. Handgunlaw.us is hearing that all private four year schools have opted out of the new law. Check with the private school for more information.

[The Dallas Morning News](#) has a site with all the Public Texas College/Universities listed. The most important thing about the listing is if you click on the College/University name in most instances it takes you to that College/University policy but some are copies of their policies on the Dallas Morning News website. Handgunlaw.us recommends if you are going to carry on any public College/University in Texas you go to that Schools website and check the rules at their site. The site listed above is not affiliated with the schools. [Legislative Changes](#) by [Senate Bill 11](#) concerning Campus Carry that takes effect Aug. 1, 2016

For Federal Restrictions on Firearms see the [USA Page](#).

## Do “No Gun Signs” Have the Force of Law?

“YES”

[Penal Code 30.06\(e\)](#) It is an exception to the application of this section that the property on which the license holder carries a concealed handgun is owned or leased by a governmental entity and is not a premises or other place on which the license holder is prohibited from carrying the handgun under Section [46.03](#) or [46.035](#). In order to provide notice that entry on property by a license holder with a handgun is forbidden, Penal Code Section

### [Penal Code 30.06\(c\)\(3\)\(A\)](#) Trespass By License Holder With a Concealed Handgun.

(a) A license holder commits an offense if the license holder:

- (1) carries a concealed handgun under the authority of Subchapter H, Chapter 411, Government Code, on property of another without effective consent; and
- (2) received notice that entry on the property by a license holder with a concealed handgun was forbidden.

(3) "Written communication" means:

(A) a card or other document on which is written language identical to the following: *"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code handgun licensing law), may not enter this property with a concealed handgun";* or

(B) a sign posted on the property that:

- (i) includes the language described by Paragraph (A) in both English and Spanish;
- (ii) appears in contrasting colors with block letters at least one inch in height; and
- (iii) is displayed in a conspicuous manner clearly visible to the public.

### [Penal Code 30.07](#). Trespass By License Holder With An Openly Carried Handgun.

(a) A license holder commits an offense if the license holder:

- (1) openly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, on property of another without effective consent; and
  - (2) received notice that entry on the property by a license holder openly carrying a handgun was forbidden.
- (b) For purposes of this section, a person receives notice if the owner of the property or someone with apparent authority to act for the owner provides notice to the person by oral or written communication.
- (c) In this section:
- (1) "Entry" has the meaning assigned by Section 30.05(b).
  - (2) "License holder" has the meaning assigned by Section 46.035(f).
  - (3) "Written communication" means:
    - (A) a card or other document on which is written language identical to the following: *"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly";* or
    - (B) a sign posted on the property that:
      - (i) includes the language described by Paragraph (A) in both English and Spanish;
      - (ii) appears in contrasting colors with block letters at least one inch in height; and
      - (iii) is displayed in a conspicuous manner clearly visible to the public at each entrance to the property.
- (d) An offense under this section is a Class C misdemeanor punishable by a fine not to exceed \$200, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that, after entering the property, the license holder was personally given the notice by oral communication described by Subsection (b) and subsequently failed to depart.
- (e) It is an exception to the application of this section that the property on which the license holder openly carries the handgun is owned or leased by a governmental entity and is not a premises or other place on which the license holder is prohibited from carrying the handgun under Section 46.03 or 46.035.
- (f) It is not a defense to prosecution under this section that the handgun was carried in a shoulder or belt holster.

Texas No Gun Signs must meet certain criteria or they are not valid. Click [Here](#) to read from the TX DPS what an official No Gun Sign wording and size must be to have the force of law.

**Gov Code 411.209. Wrongful Exclusion of Handgun License Holder.**

- (a) Except as provided by Subsection (i), a state agency or a political subdivision of the state may not provide notice by a communication described by Section 30.06, Penal Code, or by any sign expressly referring to that law or to a license to carry a handgun, that a license holder carrying a handgun under the authority of this subchapter is prohibited from entering or remaining on a premises or other place owned or leased by the governmental entity unless license holders are prohibited from carrying a handgun on the premises or other place by Section 46.03 or 46.035, Penal Code.
- (b) A state agency or a political subdivision of the state that violates Subsection (a) is liable for a civil penalty of:
  - (1) not less than \$1,000 and not more than \$1,500 for the first violation; and
  - (2) not less than \$10,000 and not more than \$10,500 for the second or a subsequent violation.
- (c) Each day of a continuing violation of Subsection (a) constitutes a separate violation.

(d) A resident of this state or a person licensed to carry a handgun under this subchapter may file a complaint with the attorney general that a state agency or political subdivision is in violation of Subsection (a) if the resident or person provides the agency or subdivision a written notice that describes the violation and specific location of the sign found to be in violation and the agency or subdivision does not cure the violation before the end of the third business day after the date of receiving the written notice. (See complete statute. Edited for space Considerations.)

**Note:** To see 30.06 Ruling Letters and Violation Complaint Form on the TX AG website go [Here](#).

**Note:** Texas also has a different sign that is posted in and about every establishment that derives 51% or more of its income from the sale or service of alcoholic beverages for on premises consumption. Carry in these establishments is against the law even with a Permit/License to Carry. The 51% sign must be posted by law on any establishment that derives more than 50% of their income from the sale of alcohol. You can see an image of the [51% Signs](#). [30.06 Sign](#) bans Concealed Carry and [30.07 Sign](#) bans the Open Carrying of firearms. (Signs have size and posting requirements in the statutes.)

**Note:** Handgunlaw.us believes when you come across a business that is posted that you not just walk away. That business needs to know that they lost your business because of their “No Gun” sign. Giving them a “No Firearms = No Money” card would do just that. You can print free “No Firearms = No Money” cards by going [Here](#).

## Parking Lot Storage Law

### [Labor Code 52.061](#). **Restriction on Prohibiting Employee Access to or Storage of Firearm or Ammunition.**

A public or private employer may not prohibit an employee who holds a license to carry a handgun under Subchapter H, Chapter 411, Government Code, who otherwise lawfully possesses a firearm, or who lawfully possesses ammunition from transporting or storing a firearm or ammunition the employee is authorized by law to possess in a locked, privately owned motor vehicle in a parking lot, parking garage, or other parking area the employer provides for employees.

### [Labor Code 52.062](#). **Exceptions.**

#### (a) **Section 52.061 does not:**

- (1) authorize a person who holds a license to carry a handgun under Subchapter H, Chapter 411, Government Code, who otherwise lawfully possesses a firearm, or who lawfully possesses ammunition to possess a firearm or ammunition on any property where the possession of a firearm or ammunition is prohibited by state or federal law; or
- (2) **Apply to:**
  - (A) a vehicle owned or leased by a public or private employer and used by an employee in the course and scope of the employee’s employment, unless the employee is required to transport or store a firearm in the official discharge of the employee’s duties;
  - (B) a school district;
  - (C) an open-enrollment charter school, as defined by Section 5.001, Education Code;
  - (D) a private school, as defined by Section 22.081, Education Code;
  - (E) property owned or controlled by a person, other than the employer, that is subject to a valid, unexpired oil, gas, or other mineral lease that contains a provision prohibiting the possession of firearms on the property; or



(F) property owned or leased by a chemical manufacturer or oil and gas refiner with an air authorization under Chapter 382, Health and Safety Code, and on which the primary business conducted is the manufacture, use, storage, or transportation of hazardous, combustible, or explosive materials, except in regard to an employee who holds a license to carry a handgun under Subchapter H, Chapter 411, Government Code, and who stores a firearm or ammunition the employee is authorized by law to possess in a locked, privately owned motor vehicle in a parking lot, parking garage, or other parking area the employer provides for employees that is outside of a secured and restricted area:

- (i) that contains the physical plant;
- (ii) that is not open to the public; and
- (iii) the ingress into which is constantly monitored by security personnel.

(b) Section 52.061 does not prohibit an employer from prohibiting an employee who holds a license to carry a handgun under Subchapter H, Chapter 411, Government Code, or who otherwise lawfully possesses a firearm, from possessing a firearm the employee is otherwise authorized by law to possess on the premises of the employer's business. In this subsection, "premises" has the meaning assigned by Section 46.035(f)(3), Penal Code.

**Gov Code 411.203. Rights of Employers.** This subchapter does not prevent or otherwise limit the right of a public or private employer to prohibit persons who are licensed under this subchapter from carrying a handgun on the premises of the business. In this section, "premises" has the meaning assigned by Section 46.035(f)(3), Penal Code.

**Note:** This is not the complete law on Parking Lot Storage. See Texas Statutes for complete Law.

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**Gov Code 411.2032. Transportation and Storage of Firearms and Ammunition By License Holders In Private Vehicles On Certain Campuses.**

(a) For purposes of this section:

- (1) "Campus" means all land and buildings owned or leased by an institution of higher education or private or independent institution of higher education.
- (2) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(b) An institution of higher education or private or independent institution of higher education in this state may not adopt or enforce any rule, regulation, or other provision or take any other action, including posting notice under Section 30.06, Penal Code, prohibiting or placing restrictions on the storage or transportation of a firearm or ammunition in a locked, privately owned or leased motor vehicle by a person, including a student enrolled at that institution, who holds a license to carry a handgun under this subchapter and lawfully possesses the firearm or ammunition:

- (1) on a street or driveway located on the campus of the institution; or
- (2) in a parking lot, parking garage, or other parking area located on the campus of the institution.

**Must Inform Officer Immediately on Contact By Law?**

**“YES”**

**Gov Code Sec. 411.205. Requirement to Display License.**

If a license holder is carrying a handgun on or about the license holder's person when a magistrate or a peace officer demands that the license holder display identification, the license holder shall display both the license  
www.handgunlaw.us

holder's driver's license or identification certificate issued by the department and the license holder's handgun license.

**Note:** When an Officer ask you for ID you must then give them your Permit/License to Carry, if you are carrying at that time when you give them your ID. If not you are breaking the law. There is no penalty if you don't inform them but as a law abiding citizen we must follow the law.

## Carry In State Parks//WMA/Road Side Rest Areas & St. /Nat. Forests

### Carry Allowed in these Areas:

**State Parks:** **YES** TX Admin Code [Title 31 Part 2 Chpt. 59 Subchpt. F §59.134](#)

**State/National Forests:** **YES** [TX Park & Wildlife Dept. Exec. Dir. Order No. 98-001](#)

**State WMA's:** **YES** [TX Park & Wildlife Dept. Exec. Dir. Order No. 98-001](#)

**Road Side Rest Areas:** **YES**

## RV/Car Carry Without a Permit/License

### [Penal Code 46.02](#)

(a) A person commits an offense if the person [he] intentionally, knowingly, or recklessly carries on or about his or her person a handgun, illegal knife, or club if the person is not:

- (1) on the person's own premises or premises under the person's control; or
- (2) inside of or directly en route to a motor vehicle or watercraft that is owned by the person or under the person's control.

(a-1) A person commits an offense if the person intentionally, knowingly, or recklessly carries on or about his or her person a handgun in a motor vehicle or watercraft that is owned by the person or under the person's control at any time in which:

- (1) the handgun is in plain view, unless the person is licensed to carry a handgun under Subchapter H, Chapter 411, Government Code, and the handgun is carried in a shoulder or belt holster; or
- (2) the person is:
  - (A) engaged in criminal activity, other than a Class C misdemeanor that is a violation of a law or ordinance regulating traffic or boating;
  - (B) prohibited by law from possessing a firearm; or
  - (C) a member of a criminal street gang, as defined by Section 71.01.

**Note:** Anyone who can legally possess a firearm can carry it in a vehicle in Texas. If you do not have a License Texas Issues or a Permit/License Texas honors the firearm must be concealed and can't be on your person. It can be in the Glove Box, Console or hidden from view but not on your person. If you have a Permit/License Texas issues or honors you can open carry in a vehicle but the firearm then must be carried either in a shoulder holster or belt holster. If you have a License Texas Issues or honors you can conceal it on your person with any carry mode you wish.

### [Texas Statutes](#)

## Open Carry (Without a Valid Permit/License)

Open Carry is legal in Texas but you must have a License to Carry issued by Texas or a permit/license Texas honors. If open carrying the firearm must be either be in a shoulder holster or a belt holster. These are the only two accepted ways to open carry under Texas law. It doesn't have to be any type of security holster. Open Carry is not allowed on any four year Public College/University/Jr. and Community Colleges. See Places Off Limits for four Year College/University Carry.

**Penal Code 46.035 (a-1)** Notwithstanding Subsection (a), a license holder commits an offense if the license holder carries a partially or wholly visible handgun, regardless of whether the handgun is holstered, on or about the license holder's person under the authority of Subchapter H, Chapter 411, Government Code, and intentionally displays the handgun in plain view of another person:

- (1) on the premises of an institution of higher education or private or independent institution of higher education; or
- (2) 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.

In some states Open Carry is forbidden in places where those with a valid permit/license can carry. This is not the last word on Open Carry in this state. Check at [www.opencarry.org](http://www.opencarry.org) or go to Google and type in State Name Open Carry or Open Carry State Name for a search for open carry info in this state. Check with the [State's RKBA](#) Organization/s. Also see "Attorney General Opinions/Court Cases" Section for any written opinions/Cases on Open Carry.

**Note:** Police have the authority to ask if you have a permit/license to carry when open carrying.

[City Of Dallas](#) Short Video and FAQs on Open Carry Law.

[Open Carry FAQs](#) for when HB 910 takes effect Jan. 1, 2016 allowing Open Carry in Texas.

## State Preemption

**Local Gov Code § 229.001. Firearms; Air Guns; Knives; Explosives.**

- (a) Notwithstanding any other law, including Section 43.002 of this code and Chapter 251, Agriculture Code, a municipality may not adopt regulations relating to:
  - (1) the transfer, private ownership, keeping, transportation, licensing, or registration of firearms, air guns, knives, ammunition, or firearm or air gun supplies; or
  - (2) the discharge of a firearm or air gun at a sport shooting range.
- (b) Subsection (a) does not affect the authority a municipality has under another law to:
  - (1) require residents or public employees to be armed for personal or national defense, law enforcement, or another lawful purpose;
  - (2) regulate the discharge of firearms or air guns within the limits of the municipality, other than at a sport shooting range;
  - (3) regulate the use of property, the location of a business, or uses at a business under the municipality's fire code, zoning ordinance, or land-use regulations as long as the code, ordinance, or regulations are not used to circumvent the intent of Subsection (a) or Subdivision (5) of this subsection;
  - (4) regulate the use of firearms, [or] air guns, or knives in the case of an insurrection, riot, or natural

disaster if the municipality finds the regulations necessary to protect public health and safety;

- (5) regulate the storage or transportation of explosives to protect public health and safety, except that 25 pounds or less of black powder for each private residence and 50 pounds or less of black powder for each retail dealer are not subject to regulation;
  - (6) regulate the carrying of a firearm or air gun by a person other than a person licensed to carry a handgun under Subchapter H, Chapter 411, Government Code, at a:
    - (A) public park;
    - (B) public meeting of a municipality, county, or other governmental body;
    - (C) political rally, parade, or official political meeting; or
    - (D) nonfirearms-related school, college, or professional athletic event;
  - (7) regulate the hours of operation of a sport shooting range, except that the hours of operation may not be more limited than the least limited hours of operation of any other business in the municipality other than a business permitted or licensed to sell or serve alcoholic beverages for on-premises consumption; or
  - (8) regulate the carrying of an air gun by a minor on:
    - (A) public property; or
    - (B) private property without consent of the property owner.
- (c) The exception provided by Subsection (b)(6) does not apply if the firearm or air gun is in or is carried to or from an area designated for use in a lawful hunting, fishing, or other sporting event and the firearm or air gun is of the type commonly used in the activity.
- (d) The exception provided by Subsection (b)(4) does not authorize the seizure or confiscation of any firearm, air gun, knife, or ammunition from an individual who is lawfully carrying or possessing the firearm, air gun, knife, or ammunition.
- (e) In this section:
- (1) "Air gun" means any gun that discharges a pellet, BB, or paintball by means of compressed air, gas propellant, or a spring.
  - (2) "Knife" has the meaning assigned by Section 46.01, Penal Code.
  - (3) "Sport shooting range" has the meaning assigned by Section 250.001.
- (f) The attorney general may bring an action in the name of the state to obtain a temporary or permanent injunction against a municipality adopting a regulation in violation of this section.

**Local Gov Code 236.002 County Regulation of Firearms, Knives, Ammunition, Firearm Supplies, and Sport Shooting Ranges** (Edited for space considerations)

- (a) Notwithstanding any other law, including Chapter 251, Agriculture Code, a county may not adopt regulations relating to:
- (1) the transfer, private ownership, keeping, transportation, licensing, or registration of firearms, air guns, knives, ammunition, or firearm or air gun supplies; or
  - (2) the discharge of a firearm or air gun at a sport shooting range.

**Section 7.** (a) A municipality or county may not enforce a regulation adopted by the municipality or county before the effective date of this Act that relates to knives, if the adoption of the regulation would be prohibited under Section 229.001 or 236.002, Local Government Code, as amended by this Act.

- (b) A court in which a proceeding is pending for a violation of a regulation described by Subsection (a) of this section shall dismiss the proceeding.

- (c) The prohibition of enforcement of a regulation under Subsection (a) of this section does not:
- (1) affect a final judgment of a court upholding a penalty under a regulation described by Subsection (a);  
or
  - (2) entitle a person who has paid a penalty for a violation of the regulation to a refund of the penalty.

## Deadly Force Laws

### [Penal Code Title 2 Chapter 9. Justification Excluding Criminal Responsibility](#)

**Section 9.01.** Definitions

**Section 9.02.** Justification as a Defense

**Section 9.03.** Confinement as Justifiable Force

**Section 9.04.** Threats as Justifiable Force

**Section 9.05.** Reckless Injury of Innocent Third Person

**Section 9.06.** Civil Remedies Unaffected

**Section 9.21.** Public Duty

**Section 9.22.** Necessity

**Section 9.31.** Self-Defense

**Section 9.32.** Deadly Force in Defense of Person

**Section 9.33.** Defense of Third Person

**Section 9.34.** Protection of Life or Health

**Section 9.41.** Protection of Ones Own Property

**Section 9.42.** Deadly Force to Protect Property

**Section 9.43.** Protection of Third Persons Property

**Section 9.44.** Use of Device to Protect Property

**Section 9.51.** Arrest and Search

**Section 9.52.** Prevention of Escape From Custody

**Section 9.53.** Maintaining Security in Correctional Facility

**Section 9.61.** Parent-Child

**Section 9.62.** Educator-Student

**Section 9.63.** Guardian-Incompetent

## Knife Laws State/Cities

To access State/Local Knife Laws Click [“Here”](#)

## Carry in Restaurants That Serve Alcohol

**YES**      [Penal Code 46.03](#)

**Note:** A “YES” above means you can carry into places like described below. “NO” means you can’t. Handgunlaw.us definition of “Restaurant Carry” is carry in a restaurant that serves alcohol. Places like Friday’s or Red Lobster unless posted with “No Gun Signs.” This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants.

**Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.**

## **Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws**

**Penal Code 46.01** (14) "Chemical dispensing device" means a device, other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being.

### **Penal Code 46.05. Prohibited Weapons.**

- (a) A person commits an offense if he intentionally or knowingly possesses, manufactures, transports, repairs, or sells:
- (8) a chemical dispensing device;

**Note:** A man was arrested for having a 4 oz chemical spray that said Police on it. He was released and no charges were filed. Small to some is large to others. Something with Police Grade etc may get you in trouble. Stay with what is a small container and sold for personal safety.

## **LEOSA State Information**

### **Texas LEOSA Information**

See the LEOSA Section on the [USA Page](#) at Handgunlaw.us for more LEOSA Information.

## **Attorney General Opinions/Court Cases**

- [Texas AG - Carry in Parks or Transit](#)
- [Texas AG - Park Carry](#)
- [Texas AG – Storage of Firearms in Vehicles on Company Property](#)
- [Texas AG - Courtrooms/Offices Essential To Court Operations can be Off Limits](#) (12/15)
- [Texas AG – College Campus Carry. Dorms, Classrooms Etc.](#) (12/15)
- [Texas AG – Schools and School Functions](#) (12/15)
- [Texas AG – County Buildings](#) (12/15)
- [Texas AG – Junior/Community College Restrictions](#) (12/16)
- [Texas AG – Churches Must be Posted to be Off Limits](#) (12/17)

## **Airport Carry/Misc. Information**

**Airport Carry:** Buildings must be Posted. Parking Lot OK Penal Code 30.06(c)(3)(A)

**Training Valid for:** 2 Years

**Time Period to Establish Residency:** Upon Obtaining a TX Drivers License or St ID Card.

**Minimum Age for Permit/License:** 21

An applicant must be 21 years of age to submit an application for a Texas Handgun License  
**OR** must be at least 18 years of age if the applicant:

1. is a member or veteran of the United States armed forces, including a member or veteran of the reserves or national guard;
2. was discharged under honorable conditions, if discharged from the United States armed forces, reserves, or national guard.

**Permit/License Info Public Information: NO**

**State Reciprocity/How They Honor Other States Statute:** Title 4., Sub B., Chap 411, Subchap A. 411.173

**State Fire arm Laws:** Penal Code 46.01 thru 46.15 7 30.06 & Admin Code TAC 37-6.1 thru 37-6.5 & Texas Gov Code TGC 411.205

**State Deadly Force Laws:** Penal Code 9.21 thru 9.44

**State Knife Laws:** Penal Code 46.01 thru 46.06

**Chemical/Electric Weapons Laws:** Penal Code 46.01 (14) & 38-14 (2)

**Body Armor Laws:** Penal Code 46.041

**Does Your Permit Cover Other Weapons Besides Firearms? NO** Admin Rule 37-1-6.11

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal? YES** TX Hunting Regulations

## Notes

**What Does TX Consider A Loaded Firearm?**

**Penal Code 46.13. Making a Firearm Accessible to a Child.** (a) In this section:

- (1) "Child" means a person younger than 17 years of age.
- (2) "Readily dischargeable firearm" means a firearm that is loaded with ammunition, whether or not a round is in the chamber.

## State Emergency Powers

**Gov Code 433.0045. Firearms.**

- (a) A directive issued under this chapter may not authorize the seizure or confiscation of any firearm or ammunition from an individual who is lawfully carrying or possessing the firearm or ammunition.
  - (b) A peace officer who is acting in the lawful execution of the officer's official duties during a state of emergency may disarm an individual if the officer reasonably believes it is immediately necessary for the protection of the officer or another individual.
  - (c) The peace officer shall return a firearm and any ammunition to an individual disarmed under Subsection
  - (d) before ceasing to detain the individual unless the officer:
    - (1) arrests the individual for engaging in criminal activity; or
    - (2) seizes the firearm as evidence in a criminal investigation.
- Added by Acts 2007, 80th Leg., R.S., Ch. 18, Sec. 4, eff. April 27, 2007.

**Note:** Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See **US Code 42-5207** for Federal Law as it applies to States of Emergencies. The state quoted code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

## Minimum Age for Possessing and Transporting of Handguns.

Texas 18 Y/O [Penal Code 46.06](#)

This is the minimum age for possessing and transporting a handgun unloaded and secured in a vehicle without any type of permit/license to carry firearms.

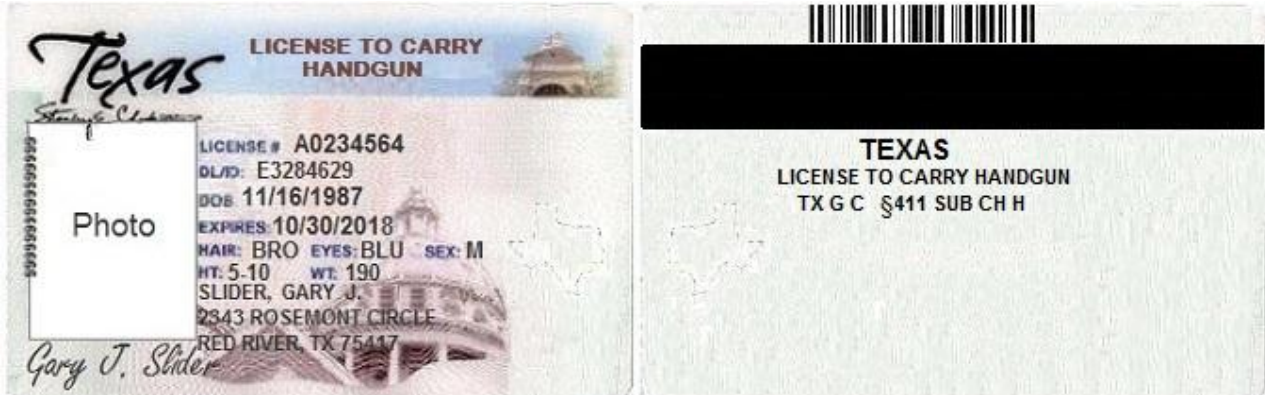
**Note:** In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See “RV/Car Carry” Section Above for more information.

## Permit/License Image



These images have been digitally assembled from 2 or more images. They may not be 100% accurate but gives a good representation of the actual Permit/License.



Above is the new layout of the Texas License. The only thing that changed was the header and reverse with the word Concealed Removed and Category was removed from the front and back.

## Updates to this Page

[Archive of Previous Updates](#) 3

7/25/17 – All Texas DPS Links Updated on Page as DPS Moved all Files.

8/1/17 – Wording stating Jr. and Community Colleges Off Limits Removed. Beginning 8/1 Carry is now Legal.

8/20/17 – All Links Checked.

9/1/17 – Fees and Online Classroom Training Info Updated in How to Apply Section.

12/27/17 – TX AG Opinion on Churches Must Be Posted Added to AG Opinions/Court Case Section.

2/10/18 – All Links Checked.