

What about Private Business and Open Carry?

Private business have the right to refuse entry to concealed and open carriers by posting the necessary legal signage or by verbally informing you that they do not want you to carry on their premises.

There are two forms of signs: the 30.06 sign that applies to concealed carry of handguns, and the 30.07 sign that applies to openly carried handguns.

TEXAS PENAL CODE 30.07:

"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."

CODIGO PENAL DE TEXAS 30.07:

"DE CONFORMIDAD CON EL ARTICULO 30.07 DEL CODIGO PENAL DE TEXAS (SOBRE EL INGRESO ILICITO DE UN INDIVIDUO CON LICENCIA DE PORTACION DE ARMAS CORTAS EXHIBIDAD PUBLICAMENTE) UNA PERSONA CON LICENCIA, SEGUN LO ESTABLECIDO EN LA SECCION H, CAPITULO 411, DEL CODIGO GOBERNAMENTAL DE TEXAS (SOBRE LA LEY DE EXPEDICION DE LICENCIA DE ARMAS CORTAS), TIENE PROHIBIDO INGRESAR EN ESTA PROPIEDAD CON ARMAS CORTAS EXHIBIDAD PUBLICAMENTE."

A private business may post one or both of these signs. Texas law stipulates the manner and specifications that the signage must meet to be legal. However, even if a business does not post the sign(s) to the legal requirements or specifications, the private business can still ask you to leave. Failure to leave could result in criminal trespass charges.

For More Information on Open Carry

Go to www.txdps.state.tx.us



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Created 2016 cb

El Paso County Sheriff's Office



Open Carry

Frequently Asked Questions



We Serve with Pride

Open Carry

Starting January 1, 2016 Texans will be allowed to carry handguns in plain view, in accordance with House Bill 910. Individuals who obtain a License to Carry (LTC) or have a valid concealed handgun license (CHL) will be able to carry their handgun in plain view, when properly secured in a belt or shoulder holster.

Additionally, non-Texans from states who hold a valid concealed handgun permit that is recognized by the state of Texas may also open carry in Texas.

It is important for those who wish to open carry in Texas to know the ins and outs of where they can and cannot carry, and the methods of carry to avoid possible problems.



Citizens are urged to call 911 **ONLY** when encountering a person who is in clear violation of House Bill 910.

Violations include:

- Removal of the handgun from a secured holster
- When a handgun holder seems intoxicated
- When the handgun holder is obviously committing a crime or acting in a reckless or suspicious manner.

Places where Weapons are Prohibited

- On the premises of any Federal Building (including a Post Office)
- On the premises of a public or private school or higher educational institution, or a school bus.
- On the premises of a correctional institution.
- On the premises of a polling place on the day of an election or while early voting is in progress.
- On the premises of any government court or offices utilized by the court.
- On the premises of a racetrack
- In or into a secured area of an airport.
- Any establishment that derives 51% or more in profits from the sale of alcohol.
- On the premises where a high school, collegiate or professional sporting event or interscholastic event is taking place.

Note:

There are other common places where firearms may be prohibited by giving notice via 30.06 and/or 30.07 signage such as:

Hospitals, Nursing Facilities, Churches and other places of worship, and state or local government entity meetings.

Who can Open Carry in Texas?

If you have been issued a valid Texas CHL/LTC, or been issued a valid concealed handgun license or permit by another state currently recognized by Texas, you may openly carry a handgun in Texas. To see which out-of-state permits are recognized by Texas, visit the www.txdps.state.tx.us web site.

How Can I Carry a Handgun?

You must carry your handgun in a belt holster or shoulder holster if it's to be displayed openly. This also applies if you are in a vehicle and wish to carry openly. If your handgun is not concealed in your vehicle, the handgun **MUST** be worn in a belt or shoulder holster and make sure you have your license on you!

Alcohol and Carrying?

You cannot be intoxicated and carry a firearm in Texas. Additionally, you cannot carry into any establishment deriving 51% or more of its profits from on-premises alcohol consumption. This includes bars.

In most restaurants, gas stations, and grocery stores that sell alcohol, it is OK to carry provided the business has not posted the "51%" sign which prohibits entry with any firearm, either openly or concealed or posted the 30.06 or 30.07 signs prohibiting entry with a handgun by a licensed handgun holder.

