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Open Meetings and The Firearm Carry Act of 2021

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During the recent 2021 session, the Legislature passed The Firearm Carry Act of 2021 (House Bill 1927), which allows qualified Texans and other citizens to carry open or concealed handguns without a permit. The new state law will take effect September 1, 2021.

Under the Act, an unlicensed carrier is automatically prohibited from entering the room where an open meeting is taking place if the governmental entity provided proper notice of the meeting under the Open Meetings Act. A licensed carrier (open or concealed), however, is allowed into the open meeting unless the governmental entity complies with the Texas Penal Code's signage requirements. To prohibit licensed carriers from entering a public meeting, a governmental entity must post a sign that complies with the following:

The exact language of these two phrases must be included in English and in Spanish:

"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."

"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."

The phrases must appear in contrasting colors with block letters at least one inch in height displayed in a conspicuous manner clearly visible to the public.

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The sign must be posted at each entrance of the property or room where the meeting is taking place.

What this means to you

As your governmental entity moves to in-person open meetings come September 1st, it is important to take stock of your current notices and signage if you wish to prohibit guns from entering into your open meeting. Complying with the new requirements of The Firearm Carry Act of 2021 as outlined above ensures such safeguards are in place.

Contact us

If you have questions about this update or how it might affect your business, contact Kate David, Robert Eckels, Mike Stafford, Sandy Hellums-Gomez, Ben Stephens, or Logan Leal.

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