

Texas Gun Laws Change to Make it Easier to Carry Guns for Self-Defense

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Firearm laws in Texas became less restrictive on Sept. 1, with changes including greater ability to carry guns in houses of worship and on school grounds, to the benefit of law-abiding citizens wishing to use guns for self-defense.

The 10 new laws now in effect were passed in Texas Legislature's last session, which concluded in June, USA Today reported. All of the bills were sponsored by Republican members of the lawmaking body and had the backing of the Institute for Legislative Action, the lobbying arm of the National Rifle Association (NRA).

"We have learned many times over that there is no such thing as a gun-free zone. Those with evil intentions will violate the law and carry out their heinous acts no matter what," State Rep. Donna Campbell said in a statement (pdf). "It makes no sense to disarm the good guys and leave law-abiding citizens defenseless where violent offenders break the law to do great harm."

Following mass shootings in El Paso and Dayton, Ohio, in which at least 31 were killed, the NRA said in a statement they "will not participate in the politicizing of these tragedies."

"Our deepest sympathies are with the families and victims of these tragedies, as well as the entire communities of El Paso and Dayton," the Association said, adding: "The NRA is committed to the safe and lawful use of firearms by those exercising their Second Amendment freedoms. We will not participate in the politicizing of these tragedies but, as always, we will work in good faith to pursue real solutions that protect us all from people who commit these horrific acts."

During the legislative sessions, a number of gun-related bills were dealt with, although not all of them reached the governor's desk for a signature.

"The good bills passed. The bad bills didn't," Alice Tripp, a lobbyist with the Texas State Rifle Association, said via The Dallas Morning News in June. "We worked real, real hard."

Opponents of less restrictive gun laws decried some of the changes. A statement from gun control organization Everytown in April, cited by USA Today, singles out House Bill 3231 which "curbs the ability of municipalities" to restrict gun sales at the city level.

"The bill is an attempt to punish local officials who are taking steps to prevent gun violence," Everytown stated.

Highlights of Changes

Under the new framework, it will be easier to possess guns in places of worship like churches, mosques and synagogues, foster homes, public school grounds, and apartment buildings.

As an example, The Texas Tribune reports the changes pertaining to possession of guns in rental units means “landlords won’t be able to prevent tenants or their guests from carrying a firearm.”

Places of worship, meanwhile, will still be able to prohibit guns if they choose, The Dallas Morning News reports, but doing so will require giving “notice to their congregations.”

“The existing statute is confusing and clunky when it comes to clearly stating the rights of licensed Texans to carry on the premises of a church,” said Senator Campbell. She added that the new bill “provides clarity of the Legislature’s intent to treat churches in the same manner as other privately owned establishments in Texas.”

Law-abiding gun owners will now also have greater discretion to carry firearms for self-defense in the wake of a natural disaster.

Preexisting Texas Gun Laws

Current Texas gun laws are considered relatively relaxed, but they mirror federal regulations in many ways. According to Texas law, you can buy a rifle at age 18, and buy a handgun at age 21, according to The Texas Tribune.

Rifle barrels less than 16 inches and shotgun barrels less than 18 inches are illegal unless registered with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which includes a \$200 tax, according to the Tribune. Machine guns and silencers can also be legally held only if registered with the ATF.

Texas law prohibits felons and people who hold domestic violence convictions from owning guns. Licensed gun dealers are required to conduct background checks on firearm sales, unless the buyer already has a license issued by the state, according to the Tribune.

Private gun sale purchases, like those between individuals, or some guns sold at gun shows, do not require background checks, according to the Tribune.

Texas does not require a license to carry a rifle in public but does require them for handguns. By 2018, over one million Texans had handgun carry licenses, the Tribune reported.

The Moral Right to Self-Defense

David Kopel, an Adjunct Scholar at the Cato Institute and author of the book “The Morality of Self-Defense and Military Action: The Judeo-Christian Perspective,” recently wrote an op-ed for The Epoch Times on the moral right to self-defense.

In his article, Kopel argues that the right to bear arms should be protected. He cites Cicero, the great Roman lawyer and orator of the first century B.C., in support of the case that self-defense against criminals is an application of the natural “instinct of self-preservation.” So “if our life be in danger from plots, or from open violence, or from the weapons of robbers or enemies, every means of securing our safety is honorable,” Kopel writes, citing Cicero.

Kopel also cites a study of defensive arms use, authored by professors Jongyeon Tark and Gary Kleck, who found that “[a] variety of mostly forceful tactics, including resistance with a gun,

appeared to have the strongest effects in reducing the risk of injury.” Thus, “the best available evidence indicates that victim resistance to crimes is generally wise.” Further, “armed and other forceful resistance does not appear to increase the victim’s risk of injury.”

While acknowledging different perspectives on gun control, he argues fundamentally that policies undercutting the right to bear arms are best construed as a human rights violation.

“The sanctity of the home against violent and unexpected invasion is a widely expressed fundamental human right all over the world,” Kopel writes. “Accordingly, the self-defense right and its auxiliary right to arms are at their apex in the home. Laws that impede home defense are especially egregious violations of human rights.”