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Citizens Association for Responsible Gun Ownership = CARGO

www.cargogunclub.org

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Hello Fellow CARGO Members,

The next meeting will be held at Napoli's on **Thursday, January 21st**.

We will meet at Napoli's in Wylie.

Napoli's
701 N Highway 78 # A
Wylie, TX 75098

For the dinner portion of the meeting, we will be in the meeting room between 5:45 and 7:00 for food and fellowship. The meeting will begin at 7:00 PM and run until about 9:00.

Member Don Bridges has volunteered his shop for the meeting. **There are a very limited number of chairs at the shop, so please bring a camp chair for the meeting.** We will meet there from 7:00 (ish) until 9:00 (ish)

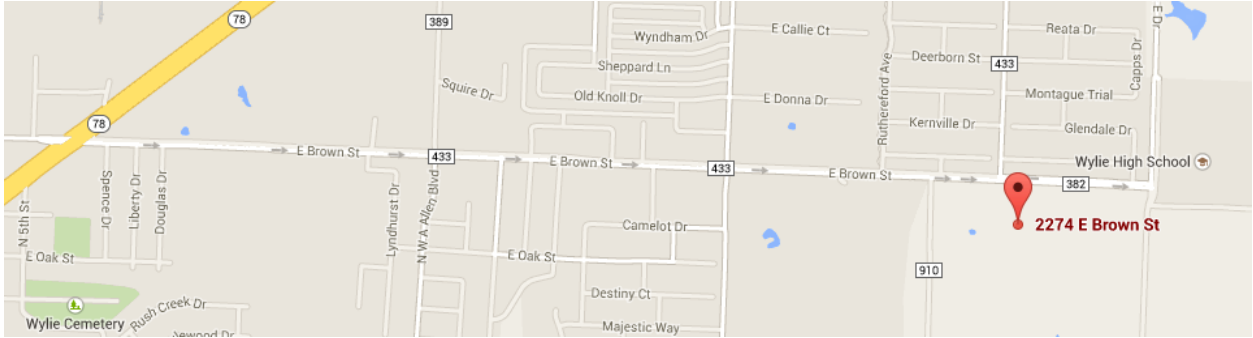
The address is:

2274 EAST Brown Street in Wylie

While heading east on Brown Street, it is 1/2 mile past stop sign that's at the intersection of Brown Street and Kreymer Lane on the right hand side.

The shop is behind a small white house with a picket fence around the front yard.





Meeting gun topics:

- Open carry rigs. Open Carry is finally here in Texas. If you were to open carry, what would it be? Please bring your open carry pistol, holster etc. to the meeting. PLEASE REMEMBER: Under the new Texas Open Carry Law, you could be committing an offence if you remove your pistol from its holster while open carrying. While at Napoli's DO NOT remove your pistol from its holster unless it is an emergency.
- The AR15 is the rifle of the 2000s so far, but there are other choices. Do you have a non-AR pattern rifle that you feel fills the same role as the AR? If so, bring it along and share... semi autos: Springfield M1A1, AK, HK, Galil, Tavor, FN P series or maybe a bolt rifle like a Scout Rifle, etc.
- It is now time for CARGO elections.
 - Please take a few moments to decide if you would like to run for an office within the club.
 - We have 4 positions on the ballot, President, Vice-President, Secretary / Treasurer and Safety Officer.
 - If you would like to be placed on the ballot please email cargo@att.net to be included on the printed ballot, otherwise you can talk to the club and be added at the meeting.
 - **If you want to vote but cannot attend the meeting, please send an email to cargo@att.net before 5:00 PM Thursday January 21st.**

Additional discussion topics / guests:

- Member Keith Stephens has been in contact with Wylie Police Department and if the Chief of Police is available he has asked for time to speak with the club.
- With the primary season coming up quickly, if you know any candidates that would like to talk to the club, please have their offices contact us at CARGO@att.net

If you have any suggestions for future speakers or topics please send your feedback to CARGO@att.net.

When was the last time you visited our web site? Please take some time to go to the CARGO website at www.cargogunclub.org

<http://www.allenwest.com/2016/01/president-obama-before-you-make-your-gun-announcement-today-you-better-read-this/>

President Obama, before you try that gun grab, I have a WARNING for you

Written by Allen West on January 5, 2016

President Barack Hussein Obama, on behalf of true Americans, I want to inform you that we will not follow your unconstitutional executive order.

We the American people have no other recourse than to resort to civil disobedience. We have no representatives in Washington DC who will stand and the Supreme Court has failed us as well.

You have embraced violent protest movements in America such as Occupy Wall Street and Black Lives Matter. We are not lowering ourselves to that despicable progressive socialist “rules for radicals” model.

We, the people, are just telling you “No.” We will now be sending you emails and social media posts as well as calling OUR White House to say one word, “No.”

And if you persist and take the same course of action as Xerxes, we will give you a two-word response, Molon Labe.

This is your final year as president of the United States so let us come to an agreement: you leave us alone and we, the American people, will let you stay and finish your term.

Heed these words of counsel. Our American blood is descended from men and women who rejected tyranny — so shall we honor their memory.

If you do not wish to honor your oath to the Constitution and protect us, we shall protect ourselves. And NEVER forget the oath we American Warriors take is to support and defend the Constitution of the United States against all enemies, foreign, and domestic.

I beseech you, do not come down on the wrong side of American history. Do not come out into the East Room and issue these executive orders, which you know very well are not constitutional. America is a Constitutional Republic, not a constitutional monarchy, and we are not ruled by edict.

We have a system of checks and balances, separation of powers, and coequal branches of government. If you cannot govern this Nation according to its principles and established laws, then tell us so, and kindly vacate the office.

Nothing you are proposing by this executive action has any relevance to recent incidents. You have released countless criminals and now you wish to restrict law-abiding citizens' rights to keep and bear arms.

Go to your hometown in Chicago, take a walk this evening in Washington DC, or drive up to Baltimore if you want to rectify "gun violence."

But as a proud gun owner, husband, dad of two daughters, the third of four generations of American combat veterans, a former Member of the US Congress, and an American, I am telling you simply, "Stand down."

<http://www.pagunblog.com/2016/01/08/greg-abbotts-constitutional-proposals-would-have-sabotaged-heller-mcdonald/>

Jan 8, 2016 Posted by [Sebastian](#) in [Law](#)

Greg Abbott's Constitutional Proposals Would Have Sabotaged Heller & McDonald



Texas Governor Greg Abbott is going to ask the Texas State Legislature to [call for a Constitutional Convention](#), growing the number of states who have already called for one. In addition, he's laid out a number of proposed new amendments in [excruciating detail](#). Key features are:

1. Prohibit Congress from regulating activity that occurs wholly within one State.
2. Require Congress to balance its budget.
3. Prohibit administrative agencies—and the unelected bureaucrats that staff them—from creating federal law.
4. Prohibit administrative agencies—and the unelected bureaucrats that staff them—from preempting state law.
5. Allow a two-thirds majority of the States to override a U.S. Supreme Court decision.
6. Require a seven-justice super-majority vote for U.S. Supreme Court decisions that invalidate a democratically enacted law.
7. Restore the balance of power between the federal and state governments by limiting the former to the powers expressly delegated to it in the Constitution.
8. Give state officials the power to sue in federal court when federal officials overstep their bounds.
9. Allow a two-thirds majority of the States to override a federal law or regulation.

Most of these would represent improvements, but I think number six is a bad idea. It's a bad enough idea I'd reject the whole proposal just to get rid of this bad idea. If this had been in place, *Heller* and *McDonald* would have both lost. You could go through and find numerous other cases that have expanded civil liberties that would have lost.

I've never agreed with conservative arguments about judicial activism and judicial restraint. Much of what conservatives call judicial activism are judges doing their jobs. If you ask me, the Court is far too respectful of democratic prerogatives of legislatures.

Perhaps the answer is to subject the federal courts to more democratic accountability. I've become convinced more recently that perhaps the founders were wrong to make federal judges appointed for life, with no recourse for the people. I'm open to action on this front, but not the kind of populist, judicial minimalist garbage Abbott is proposing here.

<http://www.breitbart.com/big-government/2016/01/05/five-outrageous-facts-obamas-executive-gun-control/>

The Five Most Outrageous Facts About Obama's Executive Gun Control



Official White House Photo / Pete Souza

by [AWR Hawkins](#) 5 Jan 2016 [3,220](#)

5 Jan, 2016 5 Jan, 2016

A January 4 White House executive order fact sheet previews the executive gun controls Obama will announce Tuesday.

The five most offensive aspects of those controls:

1. The main policy would not have stopped any recent mass shootings.

The controls expand background checks to cover more private sellers, although private sellers are not the source of guns used in mass shootings and high-profile shootings—the very kinds of incidents Obama claims he wants to reduce.

Every mass shooter and high profile shooter in recent memory—with the exception of those who stole their guns—*bought their guns via background checks*. For this reason, even the [New York Daily News](#) described Obama’s pending background check expansion as “meaningless,” saying, “the last 15 mass killers all passed... background checks” to acquire firearms.

2. 225 years of precedent, destroyed—without any legislative due process.

The expansion of background checks is an affront to freedom in general, because it brings private sellers under the purview of the government regardless of whether those sellers sell one gun a year or 100. Americans have been selling guns privately since 1791—*that’s 225 years*—and now, with a swipe of his pen, Obama is saying a portion of those sales must be handled federally and conducted via background checks.

This is a not-so-subtle slide toward universal background checks—the kind of background checks they have in California and France—and it will eventually require a gun registry database in order to be enforceable—like the registry they have in France and the one they are building in California.

3. You can be denied a gun for purely financial reasons or if you are on Social Security.

The attempt to bar certain Social Security beneficiaries from owning or buying guns because they are unable to manage their own finances.

On July 18 [Breitbart News reported](#) on Obama’s push to ban gun-possession for Social Security beneficiaries who are believed incapable of handling their own finances. On that same day the [Los Angeles Times](#) reported that a ban was being put together “outside of public view,” but the details that were known revealed the ban would cover those who are unable to manage their own affairs for a multitude of reasons—from “subnormal intelligence or mental illness” to “incompetency,” an unspecified “condition,” or “disease.”

This ban has been brought under the auspices of Obama’s executive gun control.

4. It adds more burdens to gun dealers who are already following the law.

Obama is also using executive gun control to place even more reporting requirements—read, regulations—on the backs of Federal Firearms License holders (FFLs), who are federally recognized firearms dealers. Contrary to mainstream media reports and the talking points of gun control groups, FFLs are already highly regulated and monitored by the ATF. Obama’s executive action adds one more hoop through which FFLs must jump.

5. Tax dollars for “smart guns” that nobody wants.

Obama’s executive action instructs the “Departments of Defense, Justice, and Homeland Security” to sponsor research into the “smart gun” technology and explore ways to further its use. This means using tax-payer money to pay for something the private sector has no interest in funding.

Broad interest in “smart guns” is absent because they have yet to be demonstrated trustworthy. Such guns are either fitted with biometric readers—through which they are activated by the palm or finger print or their owners—or they are paired with a bracelet or watch that emits a radio signal which activates the gun when in close proximity with it.

To date, the biometric readers raise concerns that they will fail to read the correct palm or finger print if that palm or finger is caked with blood. This means the gun is useless for self-defense. As for “smart guns” paired with watches or bracelets, *even if these guns worked* the result would be that thieves would simply steal the watch or bracelet along with the gun, therefore outsmarting those who designed the gun for a new level of safety.

Follow AWR Hawkins on Twitter: [@AWRHawkins](https://twitter.com/AWRHawkins). Reach him directly at awrhawkins@breitbart.com.

<http://www.idahostatesman.com/opinion/readers-opinion/article53591005.html>

GUEST OPINIONS

JANUARY 7, 2016 4:32 PM

Universal background checks have already been tried

By Clayton Cramer

As President Obama plans to pass new gun-control measures by executive order to extend the reach of background checks to all private sales, you may be wondering why there is such opposition to requiring all private-party gun sales to go through the same background check that gun dealers do.

Evidence should drive public policy, not hope. If a policy has been tried, has it produced the desired results?



This may be a surprise, but many states already have mandatory background checks for all firearm transfers, or for all handgun transfers; it is already a federal crime to transfer guns to another person across state lines without going through a licensed gun dealer, with very few limited exceptions. How have those mandatory background checks worked out? A method of public policy analysis widely used by social scientists is called Interrupted Time Series Analysis (ITSA).

Look at the problem you are trying to fix, then see if the problem changes when you pass a law that is supposed to fix that problem. Eight states adopted such laws for mandatory gun-background checks after 1960 (when the FBI's Uniform Crime Reporting system began to produce reasonably accurate and consistent data). I used the murder rates for five years before the effective date of the law and five years after to evaluate the effectiveness of such mandatory background check laws, using ITSA.

In some cases, the laws were passed while murder rates nationally were rising; in other cases while murder rates were dropping (now at a level not seen since the early 1960s). If such laws reduce murder rates, you would expect that murder rates would fall in most of those states.

Three of the eight states had statistically insignificant changes in murder rates; the changes were so small that they might have been random: Iowa murder rates rose 6.3 percent, Nebraska rose 9 percent and Rhode Island fell 10.6 percent.

California, Illinois and Massachusetts passed mandatory background-check laws for all firearm transfers effective in 1991, 1968 and 1969, respectively. In all three states, there was a statistically significant change in murder rates: California's murder rate rose 11.6 percent; Illinois' rate rose 49 percent; Massachusetts' rate rose 44.3 percent.

Two states had statistically significant declines in murder rates: Maryland was down 24.2 percent after adopting a pistol background check law, and Pennsylvania fell 16.7 percent after adopting a similar law. If mandatory background checks reduce murder rates, a more consistent reduction in murder rates should be the result.

The reason these laws don't work is because people who commit murder are not the sort who obey gun control laws. The BATF published a study in June 2000 titled "Following the Gun," in which they tracked where criminally misused guns came from. The largest group were straw purchases: guns purchased by persons who could pass a background check for a person who could not. This is already a felony. A large fraction of crime guns were stolen: 14 percent stolen from stores; 10 percent from homes; and 2 percent from shipping companies. Another 8 percent were apparently sold by corrupt gun dealers. In total, 81 percent of crime guns are already acquired through felonious means.

That same BATF report showed that federal judges give extraordinarily light sentences to gun dealers who were not even pretending to follow the law, transferring hundreds of guns without background checks. Why should we expect a new law to be enforced with any more vigor? Passing laws that we have already tried and found to be ineffective is just an exercise in feeling morally superior.

Clayton Cramer teaches history at the College of Western Idaho.

<http://www.breitbart.com/big-government/2016/01/04/obamas-executive-gun-control-no-minimum-threshold-private-gun-sales-require-background-checks/>

Obama's Executive Gun Control: No Minimum Threshold Before Private Gun Sales Require Background Checks



[Alex Wong/Getty Images](#)

by [AWR Hawkins](#) 4 Jan 2016 [7.592](#)

4 Jan, 2016

On January 4, the White House released a fact sheet which previews the executive gun control Obama will announce Tuesday, and it reveals there is no numerical threshold of sales that a private seller has to cross before being considered “engaged in the business of dealing in firearms.”

In other words, previous hints that there would be a “trigger”—a certain number of guns that a private seller had to sell before being considered “engaged in the business”—are now out the window.

Figures like those reported by [NBC News](#), wherein they quoted sources saying, “the administration has considered 50 or 100 guns a year as the threshold to trigger these requirements,” have been discarded. A more fluid system—whereby any private seller can be considered “engaged in the business of dealing in firearms” regardless of the number of guns he sells or the frequency by which he sells them—seems to be what Obama has in mind.

And the language of the executive gun control shows that private sellers who occasionally advertise online or sell at gun shows can certainly be considered “engaged in the business” and, therefore, required to get an Federal Firearms License (FFL) and go through background checks each time they sell a gun.

Here is [the exact wording](#) from the White House executive order preview:

A person can be engaged in the business of dealing in firearms regardless of the location in which firearm transactions are conducted. For example, a person can be engaged in the business of dealing in firearms even if the person only conducts firearm transactions at gun shows or through the Internet. Those engaged in the business of dealing in firearms who utilize the Internet or other technologies must obtain a license, just as a dealer whose business is run out of a traditional brick-and-mortar store.

The order continues:

Quantity and frequency of sales are relevant indicators. There is no specific threshold number of firearms purchased or sold that triggers the licensure requirement. But it is important to note that even a few transactions, when combined with other evidence, can be sufficient to establish that a person is “engaged in the business.” For example, courts have upheld convictions for dealing without a license when as few as two firearms were sold or when only one or two transactions took place, when other factors also were present.

The bottom line—one aspect of Obama’s executive gun control is aimed at greatly diminishing the avenues by which private gun sales can occur in the United States. It does this by increasing the occasions on which background checks must be performed in order to buy or sell a gun.

This expansion of background checks will bring more guns into the federal paperwork trail, which is something Obama, Sen. Joe Manchin (D-WV), Hillary Clinton, and Micheal Bloomberg have been wanting to do for years. And by accomplishing this, it sets the stage for even bigger gun controls in the future.

Follow AWR Hawkins on Twitter: [@AWRHawkins](#). Reach him directly at awrhawkins@breitbart.com.

<http://finance.yahoo.com/news/suit-wal-mart-sold-ammo-used-3-killings-214740683.html>

Lawsuit: Wal-Mart sold ammo used in 3 killings

PHILADELPHIA (AP) -- Families of three people killed in Pennsylvania last year are suing Wal-Mart, alleging the retail giant sold ammunition used in the slayings to a man who was underage and drunk.

Wal-Mart employees in Easton were negligent in selling .38-caliber ammunition to 20-year-old Robert Jordain, failing to ensure he was at least 21 as required by law, the suit said.

Jordain and two others have been charged with homicide in the July 5 deaths of a man in Easton and a man and a woman in nearby Allentown. The man who pulled the handgun's trigger that day is accused of killing seven people in two states.

Wal-Mart said it will defend itself from the wrongful-death suit, which was filed last week in the Philadelphia Court of Common Pleas.

The ammunition that Jordain bought could have been used in either a handgun or a rifle, and "the law allows for rifle ammunition to be purchased by someone 18 years of age," Randy Hargrove, the chain's director of national media relations, said in a statement.

<http://www.msn.com/en-us/money/companies/wal-mart-workers-on-pistol-patrol-as-law-lets-texans-tote-guns/ar-AAgqIY5?li=BBnb7Kz&ocid=iehp>

Wal-Mart workers on pistol patrol as law lets Texans tote guns

Managers at Wal-Mart stores in Texas have a new task to add to their list of duties: asking customers if they have a permit to carry a handgun.

To comply with state liquor rules, the world's biggest retailer sent a written notice last month to stores that sell alcohol, telling managers to ensure that customers who openly carry firearms under a new law have licenses. Cashiers or door greeters who see someone with a gun are to alert the highest-ranking employee, who is to approach the customer and ask to see the paperwork.

"We do try to ensure that people have a licensed firearm," said Wal-Mart spokesman Brian Nick. "We are giving direction to our store employees to ask for a license as our management sees appropriate."

The notice was sent out in anticipation of the Lone Star State's open-carry law, which went into effect Jan. 1. It made Texas the nation's most populous state to allow citizens with a permit to carry handguns openly in a holster.

Fine Line

The measure has put retailers in a quandary, forcing them to take sides in one of the nation's most fraught debates. Gun-rights activists are boycotting stores that forbid firearms, saying people shouldn't be punished for exercising their rights. Gun-control advocates, meanwhile, are shunning stores that allow customers to bear arms, saying no one should have to shop where they feel unsafe.

Stuck in the middle are retailers loath to risk losing business from either side. Dozens of stores and restaurants across Texas, including San Antonio-based HEB Grocery Co., one of the state's largest food retailers, have banned openly carried guns. That's incurred the ire of activists who have vowed to shop elsewhere. Others, such as Cincinnati-based Kroger Co., have chosen not to ban firearms carried legally, inviting the scorn of gun-control advocates promising a boycott of their own.

'New Space'

Wal-Mart's position is unusual because many of its stores sell beer and wine. That's put the company in the cross-hairs of the Texas Alcoholic Beverage Commission, which prohibits unlicensed handguns in establishments that sell such products for off-premises consumption. An establishment can lose its liquor license if it "knowingly allows" a person to bring an illegal firearm on the premises, said Chris Porter, spokesman for the agency.

Previously a shopper could have been walking the aisles with a concealed weapon -- legal in Texas for two decades -- and store clerks wouldn't have known. Under the new law, the only way to ensure compliance is to ask a customer with a gun for a permit.

"Now that it's open carry, that creates a new space that you have to cover," said George Kelemen, chief executive officer of the Texas Retailers Association. Stores like Wal-Mart want "to make absolutely sure that the message they convey is, 'We welcome your patronage, but we sell alcohol and we don't want to risk losing the ability to do that.'"

Some companies are trying to walk a fine line by publicly opposing guns in their Texas stores, while stopping short of posting state-issued signs that serve as a legal notice that firearms are prohibited. The coffee giant Starbucks Corp. has requested that customers who aren't law-enforcement personnel refrain from bringing firearms of any kind into stores, but hasn't issued a ban, according to spokeswoman Jaime Riley. Target Corp. has also asked customers not to carry guns openly, even though it hasn't displayed the signs prohibiting the practice, said spokeswoman Molly Snyder.

Liquor Laws

That balancing act isn't sitting well with gun-control advocates. The Texas chapter of Moms Demand Action for Gun Sense in America has begun targeting stores that have publicly opposed the open-carry law but haven't displayed the official signs prohibiting it. The group is affiliated with Everytown for Gun Safety, a group backed by former New York Mayor Michael Bloomberg that advocates for stricter laws. The ex-mayor is the founder and majority owner of Bloomberg News parent company Bloomberg LP.

"The strongest statement businesses can make for their customers' safety and care is getting that sign up," said Alexandra Chasse, a spokeswoman for the Texas chapter of Moms Demand Action.

License, Please

Wal-Mart, which itself sells rifles and shotguns, says it's asking customers to show a pistol permit only in Texas stores that sell alcohol. When it comes to allowing guns in stores nationwide, the company says its policy is to follow all local, state and federal laws, said Nick.

Still, its stance has begun to trouble gun-rights activists as they walk into their local Supercenter with pistols on their hips.

"I find it offensive," said C.J. Grisham, president of gun-rights group Open Carry Texas, who has heard from members who shop at Wal-Mart that they have been asked for permits. "I don't want to be treated suspect by a place that I'm shopping at."

When 25-year-old Ashley Bravo de Rueda walked into a Wal-Mart in Wichita Falls on Sunday night to buy pacifiers for her infant son and dog food, she did so with her Bersa Thunder .380 pistol on her hip. Almost immediately she was approached by an employee.

“She said, ‘Ma’am, you are more than welcome to carry a gun like that, but I’m going to need to see your license,’” Bravo de Rueda recalled.

Startled by the encounter, Bravo de Rueda nonetheless pulled out her permit and proceeded to shop.

“The whole time I felt like I was looking over my shoulder,” she said. “To me, I’m lawfully carrying. I should not be stopped for something that I am not doing wrong.”



<http://theextract.net/2016/01/08/austin-police-chief-we-want-to-know-who-the-gun-enthusiasts-are/>

Austin police chief: We want to know who the ‘gun enthusiasts’ are

***Editor’s note:** This report originally appeared on The Informed Conservative. In light of the ongoing push to restrict gun ownership, it is reprinted here with permission.*

Following a tense [standoff](#) with a lone gunman in his city, Austin Police Chief Art Acevedo shared his advice for preventing future threats. Judging from the response to his recent statements, it appears the lawman is at odds with a large

He [advised](#) Austin residents to let police know about anyone “who’s a gun enthusiast or is armed with these types of firearms” and who demonstrate “any type of propensity for hatred.”

Acevedo attempted to mitigate any fallout by acknowledging that turning over gun owners to the police “doesn’t mean that we’re going to take them to jail,” revealing only that authorities “might want to vet these people.”

Nevertheless, outraged critics were quick to point out the potential for abuse inherent in the pursuit of his instruction.

” **@ArtAcevedo** wants to vet gun enthusiasts ...you know like the Nazis vetted the Jews or Stalin vetted those that he killed.
Austin be proud

— Conservative (@tricky223) **December 4, 2014**

— Conservative (@tricky223) [December 4, 2014](#)

<http://theextract.net/2016/01/08/austin-police-chief-we-want-to-know-who-the-gun-enthusiasts-are/>

[NEWS](#)

N.Y. sheriff issues urgent call to all gun owners in his county

Amid increased security risks, many law enforcement leaders are explaining that the U.S. is now in a new era of personal protection.

Even in D.C., which enforces some of America's most draconian gun laws, Police Chief Cathy Lanier recently [informed](#) locals that the rules have changed in the wake of increased global terror threats:

What we tell them is the facts of the matter is that most active shooters kill most of the victims in 10 minutes or less; and the best police department in the country is going to be about a five- to seven-minute response.

She went on to encourage citizens confronted by an attacker "try and take the gunman down," calling it "the best option for saving lives before police can get there."

Residents in Ulster County, N.Y., received a more specific directive from their top cop on Thursday, one day after two terrorists attacked a social services center in San Bernardino, Calif.

"In light of recent events that have occurred in the United States and around the world," Sheriff Paul Van Blarcum [wrote](#) on Facebook, "I want to encourage citizens ... who are licensed to carry a firearm to PLEASE DO SO."

He went on to urge gun owners to ensure they are "comfortable and proficient" with their weapons, as well as local gun laws.

Van Blarcum concluded with a call to action for his fellow current and retired law enforcement officers.

"We are the thin blue line that is entrusted in keeping this country safe," he wrote, "and we must be prepared to act at any given moment."

http://www.gunsandammo.com/second-amendment/best-states-for-concealed-carry-2015/?utm_source=newsletter&utm_medium=email&utm_campaign=editorial&utm_term=gunsandammo&utm_content=sweeps

Best States for Concealed Carry 2015

by Keith Wood | September 14th, 2015

Every year, Guns & Ammo ranks the “Best States for Gun Owners,” and the majority of G&A’s readers’ comments focus on state laws relating to concealed carry. Since 2013, G&A has ranked the “Best States for Concealed Carry” to explore the area that interests our readers most.

Please note that this survey addresses concealed carry rather than open carry. The very nature of open carry laws make them nearly impossible to rank as they are more or less binary. (You either can or can’t legally open carry in a given state or municipality.)

G&A considered several aspects of a state’s concealed carry statutes (or lack thereof in one case) to determine which states are most friendly for defense-minded individuals.

States are ranked in the following categories: issuance, reciprocity/recognition, training requirements, fees, the existence and strength of so-called “Castle Doctrine” or “Stand Your Ground” laws, rankings from G&A’s “Best States for Gun Owners” survey, duty to inform law enforcement, firearm law preemption and non-resident permit issuance. Putting numerical values on something as complicated as a CCW statute is a tricky proposition.

[G&A developed this formula](#), which has proven itself effective. We don’t expect every reader to agree, but this information is as accurate and objective as it could be made.

Prohibited locations or “gun free zones” are difficult to assign values to and were used solely for the sake of breaking ties among states with the same raw scores, of which there were many.

Here are the categories and point values used to create these rankings:
Permitless/Unrestricted – Also commonly known as “Constitutional Carry,” individuals can carry a concealed firearm without obtaining a license or permit.

Shall-Issue – Permits are required to carry a concealed handgun, but the granting authority has no discretion over the issuance of permits. The granting authority shall issue a permit if an applicant meets distinct criteria in the law.

May-Issue – The granting authority may issue a permit at their discretion, and usually require “good cause” or a “significant reason” to carry a firearm.

No-Issue/Restricted – Individuals cannot obtain a license to legally carry a concealed firearm.

Permit Issuance: States were awarded up to 25 points based on their method of issuance.

Permitless/Unrestricted = 25 Points

Shall-Issue = 20 points

May-Issue = 5 points

No-Issue/Restricted = 0 points.

Reciprocity: The number of states honored in the issuing state were counted and assigned a maximum of 10 points. Next, the number of states where the issuing state’s permit is honored were counted and assigned a maximum of 10 points. The two totals were then added together for a maximum of 20 points.

Number of Permits Honored in the Issuing State

0 States = 0 Points 1-10 States = 2 Points 11-20 States = 4 Points

21-30 States = 6 Points 31-40 States = 8 Points 41-50 States = 10 Points

Number of States Where the Issuing State’s Permit is Honored

0 States = 0 Points 1-10 States = 2 Points 11-20 States = 4 Points

21-30 States = 6 Points 31-40 States = 8 Points 41-50 States = 10 Points

Training Time: Training time was scored based on the minimum number of statutory training hours required, for a maximum of 10 points. States with unrestricted carry automatically earned the maximum number of points.

0 Hours = 10 Points 1-3 Hours = 9 Points 4-6 Hours = 8 Points

7-9 Hours = 7 Points 10-12 Hours = 6 Points 13-15 Hours = 5 Points

16+ Hours = 0 Points

Application Fee: Application fees were scored with a maximum of five points based on the statutory annual cost paid by civilians to their state of residence in order to obtain the permit. In the past, fees were scored based on the total cost but that was not a fair comparison since the duration of the permits varied significantly.

Fees were not scored based on renewal or out-of-state permit costs, military/law enforcement/veteran rates or senior citizen discounts. Fees also do not include the cost of any necessary training course(s). States with unrestricted carry automatically earned the maximum number of points.

\$0-5 = 5 Points \$10-15 = 4 Points \$15-20 = 3 Points

\$20-25 = 2 Points \$25-30 = 1 Point \$30+ = 0 Points

Stand Your Ground/Castle Doctrine: States’ scores were determined based on how strong their law is regarding self-defense in and out of the home, and whether a gun owner is immune from civil prosecution in a self-defense situation. These scores reflected the same point values as the 2015 Best States for Gun Owners, unless the law has changed since that article was published. Maximum of 10 points.

Best States for Gun Owners in 2015: To best determine how generally gun-friendly the state is, each was awarded up to 10 points based on their overall rank in the Best States for Gun Owners in 2014.

Ranks 1-10 = 10 Points Ranks 11-20 = 8 Points Ranks 21-30 = 6 Points

Ranks 31-40 = 4 points Ranks 41-50 = 2 Points

Duty to Inform: States were awarded points based on whether or not individuals who are legally carrying are required to immediately inform a law enforcement/peace officers they are carrying a gun upon initial contact.

5 Points = Not required to immediately inform a law enforcement officer.

0 Points = Required to immediately inform a law enforcement officer.

Pre-Emption of Home-Rule: States were awarded points if state laws pre-empt local governing bodies from crafting their own legislation regarding concealed carry. In most states, pre-emption does not include local laws regarding the discharge of firearms within city limits.

5 Points = State laws pre-empt local governing bodies from crafting their own laws.

0 Points = Local governing bodies can make their own laws and are not subject to state pre-emption.

Permit Issued to Non-Residents: States earned points based on their method of issuance to non-residents.

5 Points = Permits are issued on a Shall-Issue basis to non-residents.

2 Points = Permits are issued on a May-Issue basis to non-residents.

0 Points = Permits are not issued to non-residents.

Here they are, worst to first. Find out where your state ranks compared to the rest of the country, and be sure to enter the debate.

51. Washington, D.C.



Since we compiled this report last year, DC has begrudgingly established a “may issue” system of issuing concealed carry permits. The problem with the system is that it is virtually impossible to obtain one.

According to the law, an applicant must prove that they have been subject to “serious threats of death or serious bodily harm, any attacks on his or her person, or any theft of property from his or her person.” The good news is that the U.S. District Court has ruled that element of the law as unconstitutional.

The bad news? The U.S. Circuit Court has stayed this ruling pending a review. So let's assume that you can meet this "need" standard and you're eligible for a permit: it will take 18 hours of training. The law also limits you to carrying no more than 10 rounds on your person and it mandates the use of a holster. The application fee is a non-refundable \$75 and permits are valid for two years.

Reciprocity is a bit murky: DC does not recognize permits from any other jurisdiction, but clearly the states with "full recognition laws" will accept a DC permit.

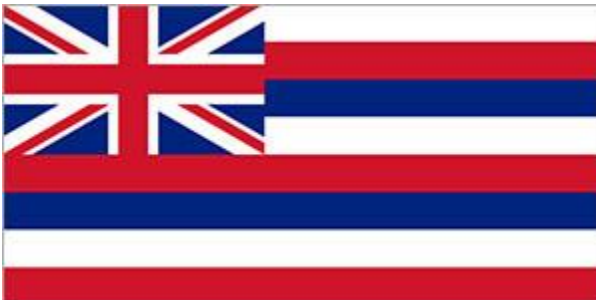
50. California



California permits are issued on a may-issue basis by the sheriff of each county. Whether or not an average citizen can actually obtain a permit varies wildly from county to county. Just this year, heavily populated Orange County shifted to a more restrictive "good cause" standard of issuing permits.

Requirements for obtaining a permit vary from county to county as well. California permits are honored in 23 states, though California does not honor permits from any other state.

49. Hawaii



Hawaii uses a very restrictive may-issue permit system. "Sufficient indication of urgency" must be shown to the chief of police in order to meet the threshold for obtaining a permit. The rarely-issued permits cost \$10 and are valid for one year.

Hawaii does not recognize permits from other states, but Hawaii's permits are recognized by 18 states. Hawaii is unfriendly to guns and their owners generally, so it gets only two points in the "Best States" category.

48. New Jersey



New Jersey's may-issue permits are furnished by the chief of police and must be approved by a superior court judge. Applicants must demonstrate "justifiable need" as well as evidence of good character and competency. If a permit is granted, it is valid for two years and is recognized in 19 states.

The cost of a permit is a reasonable \$10 per year. New Jersey beats Hawaii in a tie, since the Aloha State appears to prohibit carry in just about all public locations.

47. Maryland



Concealed carry permits are all but impossible to get in Maryland despite years of efforts to the contrary. Permits are issued through Maryland's state police, and the applicant must show that getting one would be a "reasonable precaution against apprehended danger."

The law requires 16 hours of instruction in order to obtain a permit and eight additional hours in order to renew every two years. Maryland does not recognize the permits of any other state, but its permits are recognized by 18 other states, according to the NRA.

46. New York



New York's convoluted licensing program is as confusing as it is cumbersome. State permits are no good in New York City and city permits are not honored by the state. The state's fee is a reasonable \$2 per year, but New York City permits cost \$340 annually.

New York does not recognize permits from any other states, but New Yorkers with permits can carry in 22 other states.

45. Massachusetts



The Bay State uses a may-issue permit system where Class A licenses serve as both a permit to purchase and carry a concealed firearm. Permits are obtained through the police department. Non-resident permits are issued through the state police and are valid for a year.

Massachusetts does not recognize permits from other states but holders of permits from Massachusetts can carry in the 18 full-recognition or permitless carry states. Individuals carrying a firearm have a duty to inform law enforcement if asked, and there is no statewide preemption, so individual municipalities can regulate where a firearm is allowed.

44. Delaware



Delaware is a slightly better state for concealed carry than neighboring Maryland, but that's not saying much. Delaware's may-issue permits are provided by the courts and require excessive documentation of good character. The price of permits is low at just over \$20 per year, and Delaware has decent reciprocity with 24 states recognizing Delaware's permits.

Strong self-defense laws and state firearms preemption make Delaware a decent state to carry in if you can get a permit. The state passed a law this year that allows municipalities to regulate open carry in some areas, but concealed carry is exempt.

43. Connecticut



A permit is required to carry a handgun anywhere outside people's homes, including their yard or even to transport a handgun to the shooting range. The permit that is issued to carry a handgun also allows you to carry the gun either concealed or openly.

Connecticut permits are "may issue" but are generally issued if the applicant is qualified under the law. Connecticut does issue permits to non-residents but does not recognize permits from other states. Connecticut permits are recognized by 23 other states. The only enumerated prohibited locations are schools.

42. Illinois



Illinois has had legal concealed carry for two years now and, despite predictions to the contrary, the sky has not fallen. Permits cost \$150 and are valid for five years, while non-resident permits can be obtained for \$300.

The 16-hour training requirement is extensive as Right-To-Carry states go, but Illinois does have strong self-defense laws. The law has a preemption element, so cities cannot opt-out.

Illinois resident permits are recognized in 25 states.

41. New Mexico



Permit holders can carry a single firearm in New Mexico under state law. Permits are issued to residents by the Department of Public Safety on a shall-issue basis and are valid for four years. Initial training, as well as refresher training, is required, and the fees compute to \$25 per year, which is higher than the national average.

The New Mexico Legislature did make some changes to their concealed carry law this year, which eliminated the training requirement for certain military and mounted patrol personnel. It also deletes the fingerprint requirement for permit renewals.

40. Nebraska



Concealed carry permits are issued through the Nebraska State Patrol with a fee of \$20 per year. Non-resident permits are not available, but Nebraska maintains broad reciprocity with other states. Nebraska gets only five points for its lukewarm self-defense laws but gains points due to reasonable training standards.

The law is preemptive of local ordinances in places like Omaha and Lincoln, but there is a duty to inform law enforcement in place. A bill guaranteeing the privacy of permit records will carry over into next year's legislative session as bill passage is generally a two-year proposition in the state's unicameral legislature.

39. Oregon



Oregon permits are issued to residents on a shall-issue basis and may be issued to non-residents. Reciprocity is fairly poor with only 20 states recognizing Oregon permits, and no out-of-state permits are honored. Permit fees are \$12.50 annually.

Other than courthouses, the only prohibited locations are those set by federal law. The state does have a preemption statute, so permits are valid statewide.

38. Rhode Island



Considering its location, Rhode Island's carry laws are actually pretty good. Rhode Island's shall-issue permits are issued through the attorney general to both residents and non-residents. Fees are only \$10 annually for the four-year permit, and a handgun can be carried anywhere not prohibited by federal law.

Rhode Island permits are good in 23 states, but Rhode Island does not recognize permits from any other state.

37. Ohio



The Buckeye State has a shall-issue system with good permit reciprocity among other states. Folks carrying in Ohio have a duty to inform law enforcement that they are carrying, and permits are not issued to non-residents.

The list of prohibited locations in Ohio is extensive, but legislation is currently moving that would eliminate many of those "defense-free zones." Ohio has some of the broadest reciprocity laws in the nation and recognizes permits from all issuing jurisdictions. Permit fees are \$13.40 per year.

36. Michigan



Michigan's concealed carry law got a boost this year when the legislature passed a multi-faceted reform bill. This year's legislation eliminated licensing boards and streamlined the overall process. Domestic violence victims and other citizens who have an immediate fear of serious bodily harm can now obtain temporary emergency permits, a concept that other states should look to emulate.

Michigan has strong use of force laws and great reciprocity. Permit fees are rather high, which is almost the only area that this state loses many points. Prohibited locations include hospitals, casinos, large sporting events and bars. Parents dropping their kids off at school may carry legally in their automobiles.

35. Arkansas



Arkansas passed numerous bills this year to eliminate many of the prohibited carry locations from their concealed carry statute. For example, K-12 schools may establish their own concealed carry policies if they so choose. The state legislature also passed a bill to help prevent civil lawsuits when citizens use a firearm to defend themselves, thus strengthening the use of force laws.

Though many of this year's legislative changes don't do much to help the state's score, they do make for a better carry environment. Fees are a bit higher than the national average at \$28.30 annually. Individuals carrying a firearm in Arkansas have a duty to inform law enforcement that they are armed, and the state does not issue permits to non-residents.

Whether open carry is legal has been somewhat up for debate in recent years. That confusion was cleared up in August 2015 when Attorney General Rutledge penned a letter to clarify that it is allowed under most circumstances, according to her office's

interpretation of the law. Her letter also makes clear that this does not affect concealed carry, which still requires a permit in Arkansas.

34. Louisiana



Like every state in the South, Louisiana has a reasonably strong concealed carry law. Louisiana gets good points for reciprocity and a strong “Stand Your Ground” statute, but its fees are high. Permits are only issued to residents, and carry permit holders have a duty to inform law enforcement that they are carrying when contact is made.

Louisiana’s list of prohibited locations is fairly broad and includes churches, parades and bars.

33. Colorado



Anti-gun legislators hold a majority in the Colorado House of Representatives but, thus far, have left the concealed carry statute alone. Permit fees remain low at just over \$10 per year, and Colorado has strong reciprocity with other states.

Colorado has very few prohibited places listed in state law such as schools and public buildings with security screening being the only restricted areas. This puts the state ahead of Louisiana in a tie.

Colorado’s standard-capacity magazine ban and private transfer prohibitions have hurt the state in G&A’s “Best States for Gun Owners” category over the past few years, as things appear to be getting worse rather than better.

32. Oklahoma



Once again, Oklahoma scored well in G&A’s “Best States” rankings for its good overall environment for gun owners. Yet, an NRA-backed bill to address some ambiguous preemption issues was vetoed by Gov. Mary Fallin despite passing both houses of the legislature by wide margins.

Oklahoma gets near maximum points for reciprocity, as it recognizes permits from all other U.S. states. Its permit is honored in nearly 40 other states. The only categories the state lacks points for include higher-than-average fees, a duty to inform law enforcement and resident-only permits. Oklahoma gets full points for a model use-of-force law.

Oklahomans can keep firearms legally locked in their cars in employer-owned parking lots.

31. Minnesota



Minnesota law doesn’t enumerate many prohibited locations, but it does allow just about any business to ban carry by posting a sign. A statutory language change passed this year should help expand reciprocity, which isn’t great at this point.

Minnesota has reasonable training requirements, and also issues permits to non-residents. There’s no duty to inform law enforcement that you’re carrying, unless they ask, and as of August 2015, permit holders can carry in the state capitol complex.

30. North Carolina



Carrying a concealed firearm is a bit easier this year in North Carolina thanks to a sweeping reform bill signed by Gov. McCrory. The bill allows parents dropping their kids off at school to keep their guns legally in their cars, strengthens the preemption statute and streamlined the permit process.

Use of force laws are strong in North Carolina, and the state gets near max points for reciprocity. Permits are issued to residents by the county sheriff on a shall-issue basis.

North Carolina loses to South Carolina in a tight race over the fewest prohibited locations, as both states have a laundry list.

29. South Carolina



South Carolina's reciprocity is pretty abysmal as southern states go. A bill was filed this year to move the Palmetto State to a full recognition state, but the bill was amended into a permitless carry bill and did not pass.

South Carolina only issues permits to residents and landowners, but does not issue non-resident permits. The state has a strong "Stand Your Ground" statute, low fees and good performance in G&A's "Best States for Gun Owners" rankings.

S.C.'s list of prohibited locations is fairly long.

28. Maine



Maine became one of a handful of states to allow for “permitless” carry when Gov. LePage signed LD 652 in July 2015, though this only applies to Maine residents. Concealed carry permits will still be issued to those that desire them and are only \$10 per year.

Though Maine is a shall-issue state, the statute does allow for the denial of a permit based on non-criminal activity such as reckless or negligent behavior on the part of the applicant. Reciprocity is pretty poor with Maine only recognizing the permits of eight other states, but those with Maine permits can carry in 23 other states.

Maine has very few prohibited locations — essentially only schools.

27. Washington



Despite poor reciprocity and a low overall state ranking for gun owners, Washington does well in the concealed carry permit department. Permit fees are very reasonable at \$7 annually, and nonresident permits are available.

The state gets max points for strong use of force laws and training requirements are minimal.

26. South Dakota



An effort to pass permitless carry in South Dakota failed to make it through the legislature in 2015, leaving the state's existing permit system intact.

Fees for carry permits are among the lowest in the country, and permits can be issued to individuals as young as 18.

Reciprocity is decent, but the state's self-defense laws are pretty weak. Prohibited locations are few and include schools, bars, courthouses and snowmobiles. (Seriously, that's in the law.)

25. Tennessee



Tennessee does reasonably well in G&A's "Best States for Gun Owners" rankings and has good concealed carry laws overall.

Reciprocity is excellent, and Tennessee recognizes all permits from other states. The Volunteer State has a strong self-defense law that earns it max points in that category. Carrying a gun in restaurants is legal, but establishments can prohibit carry with proper signage. Permits are issued to residents at a fee of only \$28.75 per year.

24. West Virginia



A new law went into effect for West Virginia during the summer of 2015 that protects the identities of concealed carry permit recipients from Freedom of Information Act (FOIA) requests.

West Virginia has good reciprocity and recognition which earns it 16 points in that category. The state has strong self-defense laws and, of course, a shall-issue permit

system. County sheriffs issue permits in the Mountain State and the list of prohibited places is short.

West Virginia does not issue permits to non-residents.

23. Wisconsin



When Wisconsin finally passed a concealed carry statute, they skipped over the incremental steps and passed a good one.

Reciprocity could be better, but the state has a strong Castle Doctrine law, and gets high points for its reasonable training standards and modest fees. The list of prohibited locations is limited to government-type facilities and the parking lots of those locations are exempt from the prohibitions.

In related news, Gov. Scott Walker signed a bill this year to repeal the longstanding 48-hour waiting period on handgun sales, continuing Wisconsin's march toward a more pro-gun landscape.

22. Nevada



Nevada used to have pretty poor reciprocity, but that changed this year, thanks to a bill signed by Gov. Sandoval. Nevada now recognizes 23 states' permits instead of 14.

The state also strengthened its use of force laws and preemption statute and eliminated Clark County's handgun registration scheme — all in all, a good year for Nevadans and their visitors. Nevada's list of prohibited locations for carry is short, basically consisting of public buildings.

Nevada's training standard is reasonable, and permits are issued to non-residents.

21. Georgia



Other than its so-so reciprocity, Georgia has very strong concealed laws. Permits can be issued at age 18 for active-duty military and are issued to non-military residents ages 21 and older.

The Peach State has strong use of force laws and a solid preemption statute. Prohibited locations are very few in Georgia; GWL licensees can even carry into government buildings.

Georgia's fees are right at the national median of \$15 per year.

20. Idaho



Idaho has very strong reciprocity, recognizes permits from all other states and even issues non-resident licenses.

Idaho issues two types of concealed carry permits: a standard permit and an “enhanced” permit. The enhanced permit has specific training requirements and gives the holder greater reciprocity. With an enhanced permit, Idahoans can also carry on the campuses of colleges and universities, though specific rules can vary from school to school.

The only place that Idaho really loses ground is in the “Castle Doctrine” category. The state has good case law on the subject, but its statute is lacking.

19. Missouri



Missouri ranks high in G&A's "Best States for Gun Owners" standings and has good use of force laws. Missouri has excellent reciprocity/recognition, which earns the state 18 points, but there are many places where carry is restricted.

The annual permit fee of \$33 per year is well above the national average and permits are only issued to residents. There is no duty to inform law enforcement that you are carrying in the Show Me State. (Perhaps a tad ironic.)

18. Pennsylvania



Preemption of local ordinances continues to be an issue in the Keystone State, as a trial court invalidated a statute designed to address this longstanding battle between gun owners and cities.

We give the state an unusual 3 out of 5 points in the preemption category due to this situation. The state has decent reciprocity as long as you don't drive north or east, and the state's deadly force laws score well.

Pennsylvania's list of prohibited locations is short, and public buildings must provide lockers in which citizens can secure their handguns.

17. Virginia



Gov. McAuliffe vetoed three pro-gun bills in 2015, one of which would have protected the personal information of concealed carry permittees from non-reciprocal law enforcement agencies.

Virginia earns strong points across the board in this contest, having good reciprocity and Stand Your Ground laws as well as the ability for non-residents to apply for permits.

Prohibited locations are few in Virginia, and citizens can even carry concealed in the state capital building in Richmond. Carrying openly or concealed is allowed in restaurants and bars so long as no alcohol is consumed.

16. Iowa



Despite a legislature that is pretty resistant to helping gun owners, Iowa does well in our rankings. The state has great reciprocity, training time is minimal and fees are low.

Non-resident permits are issued, but Iowa gets only four points in the “Best States for Gun Owners” category. Iowa’s “weapon-free zone” is pretty ambiguous, but generally, the state has a short list of prohibited locations.

This is a state that probably ranks higher than it should based on our methodology, but no system is going to be a perfect evaluator of complex statutes such as these.

15. Alabama

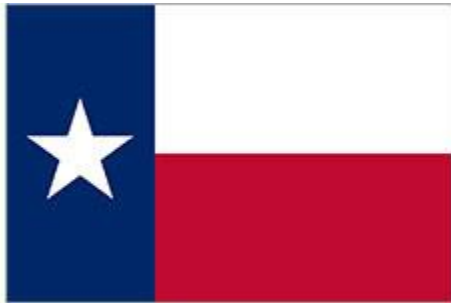


Alabama Gov. Robert Bentley signed an NRA-backed bill this year that, among other things, eliminates a hospital's ability to ban firearms in their parking garages.

Alabama did well in our "Best States for Gun Owners" survey and gets full points for its Castle Doctrine statute. Fees in Alabama are at the discretion of the issuing authority but are \$20 per year on average.

There is no training requirement for obtaining a permit in the state, and it recognizes permits from nearly every state in the union.

14. Texas



The big news in Texas this year is that concealed carry permits will also serve as "open carry" permits in the Lone Star State, but other less-publicized changes in the law also took place.

Colleges and universities in Texas are no longer automatically prohibited locations, and cities are restricted from enforcing some prohibitions on where citizens can carry.

The CHL law is pretty strong all around, and Texas gets high marks in nearly every category. Permits are issued by the Department of Public Safety to both non-residents and residents.

13. Mississippi



Mississippi dropped its fees this year, which gained it three additional points on top of last year's score. The state has strong reciprocity, recognizes permits from all other states and gets near max points in the "Best States" category.

Prohibited locations are many and include churches, and the bar areas of restaurants. Permits are issued to residents only.

12. Kentucky



Kentucky is a state with strong gun laws and generally does well in our surveys.

No training is necessary to obtain a Kentucky concealed carry permit if you have served in the military, and a bill was passed this year which provides more training options to citizens. Bars, schools and government buildings are virtually the only places where concealed carry is prohibited.

Residents can apply for concealed carry permits electronically through the state police, and reciprocity is great.

11. North Dakota



North Dakota has strong concealed carry laws and, thanks to Gov. Jack Dalrymple and legislature's work in 2015, university students and employees will be able to legally keep guns in their cars on campus.

Fees are just \$9 a year, the state has good reciprocity (including a new agreement with Minnesota), and the state has a solid Stand Your Ground law.

Permits are issued within 30 days to both residents and non-residents and North Dakota does well overall in the "Best States for Gun Owners" category.

10. Montana



A bill that would have legalized permitless carry throughout Montana was vetoed by Gov. Steve Bullock in 2015.

Montana gets high scores for reciprocity, Castle Doctrine and in the “Best States for Gun Owners” category.

Montana’s list of prohibited places is somewhat extensive and includes banks, but it still does well enough in this category to win a 5-way tie between states with a total of 78 points. Fees are below average at \$12.50 per year.

9. Florida



Florida has been known as a leader in concealed carry laws since 1987. Florida issues permits to both residents and non-residents, making it one of the most popular states for gun owners looking for reciprocity across the U.S.

Florida has strong use-of-force laws and one of the strongest preemption statutes in the nation.

Florida loses to New Hampshire in a tie-breaker based on its more extensive list of “gun free” zones.

8. New Hampshire



It is fascinating that once you get north of Massachusetts, you run into a block of three states with solid concealed carry laws and — you guessed it — less violent crime.

Unlike most of the northeast, New Hampshire issues permits on a shall-issue basis. The state gets full points for its low fees, and does well in G&A's "Best States for Gun Owners" lineup. The only place specified by state law where you can't carry a gun is in a courthouse.

Gov. Maggie Hassan vetoed a bill this year that would have allowed for permitless concealed carry. Open carry is already legal in the "Live Free or Die" state.

7. Indiana



Indiana scores well across the spectrum of categories. Indiana has good reciprocity being that their permits are recognized in almost 30 other states. The Hoosier State recognizes all permits.

No training is necessary to obtain a permit in Indiana, and permits are issued to residents and non-residents alike. Permit fees in Indiana are low at only \$10 per year.

6. Vermont



Vermont operates from a lack of concealed carry laws and relies on a 112-year-old state Supreme Court opinion instead. As long as you are not a prohibited possessor such as a felon, you can carry a gun legally almost anywhere in the Green Mountain State.

Vermont scores well in every category except for reciprocity and permits for non-residents.

5. Wyoming



Wyoming has what many believe to be the “perfect” system of both permitless and permitted concealed carry. You don’t need a permit, but you can get one for traveling outside of the state, if you so desire.

Wyoming permits issued by the attorney general’s office and are recognized in more than 30 states. The list of prohibited locations is short — essentially public buildings, schools and bars.

An effort to remove the prohibition of concealed carry on the campuses of schools and universities failed during 2015.

4. Alaska



Like a growing list of states across the nation, Alaska allows concealed carry without a permit but issues permits as well.

Alaskan permits have some of the best permit reciprocity in the nation, which is always good news. Not surprisingly, Alaska does great in G&A’s “Best States for Gun Owners” lineup and gets full points for its “Stand Your Ground” statute.

Alaska beats Wyoming based on a shorter list of prohibited locations.

3. Utah



An effort to establish permitless carry in Utah failed in 2015, despite making it out of the state's senate.

Utah consistently scores well in the "Best States for Gun Owners" ranking. Utah permits are widely recognized, and Utah accepts permits from any issuing state. The state gets good points for its low fees of less than \$10 per year, and renewals are even less at only \$3 annually.

Carrying is prohibited in "secure locations," but that list is short and requires posted notice.

2. Kansas



In less than a decade, Kansas went from one of four states without a concealed carry system to its current status as a permitless carry state. (Talk about a turnaround.)

Reciprocity is as good as it gets, and training time is reasonable if you want to obtain a permit. The state doesn't issue nonresident permits, but you can carry there without a permit anyway, so it is a non-issue.

Kansas gets a perfect 10 for its Castle Doctrine law, which was passed back in 2006.

1. Arizona



Once again, Arizona lands at the top of the heap in both G&A's "Gun Owners" and "Concealed Carry" best-of lists. Arizona managed to score top marks in every category we used for this evaluation. Arizona gives you the choice of getting a permit or carrying without one, and if you do get a permit, reciprocity is strong.

A handful of states don't recognize Arizona's permits, which is the only thing that keeps it from achieving maximum points in every category.

*Editor's note: State-specific concealed carry laws are a complicated, frustrating and fluid subject. We have consulted sources such as the National Rifle Association, National Shooting Sports Foundation and state and law enforcement agencies to compile these rankings. Some states are very hazy on certain statutes, so our data reflects those confusions with general statements based on our understanding of the law. All information is current as of September 2015.



<https://www.whitehouse.gov/the-press-office/2016/01/04/fact-sheet-new-executive-actions-reduce-gun-violence-and-make-our>

The White House

[Office of the Press Secretary](#)

For Immediate Release

January 04, 2016

FACT SHEET: New Executive Actions to Reduce Gun Violence and Make Our Communities Safer

Gun violence has taken a heartbreaking toll on too many communities across the country. Over the past decade in America, more than 100,000 people have been killed as a result of gun violence—and millions more have been the victim of assaults, robberies, and other crimes involving a gun. Many of these crimes were committed by people who never should have been able to purchase a gun in the first place. Over the same period, hundreds of thousands of other people in our communities committed suicide with a gun and nearly half a million people suffered other gun injuries. Hundreds of law enforcement officers have been shot to death protecting their communities. And too many children are killed or injured by firearms every year, often by accident. The vast majority of Americans—including the vast majority of gun owners—believe we must take sensible steps to address these horrible tragedies.

The President and Vice President are committed to using every tool at the Administration’s disposal to reduce gun violence. Some of the gaps in our country’s gun laws can only be fixed through legislation, which is why the President continues to call on Congress to pass the kind of commonsense gun safety reforms supported by a majority of the American people. And while Congress has repeatedly failed to take action and pass laws that would expand background checks and reduce gun violence, today, building on the significant steps that have already been taken over the past several years, the Administration is announcing a series of commonsense executive actions designed to:

1. Keep guns out of the wrong hands through background checks.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is making clear that it doesn’t matter where you conduct your business—from a store, at gun shows, or over the Internet: If you’re in the business of selling firearms, you must get a license and conduct background checks.

ATF is finalizing a rule to require background checks for people trying to buy some of the most dangerous weapons and other items through a trust, corporation, or other legal entity.

Attorney General Loretta E. Lynch has sent a letter to States highlighting the importance of receiving complete criminal history.

The Federal Bureau of Investigation (FBI) is overhauling the background check system to make it more effective and efficient. The envisioned improvements include processing background checks 24 hours a day, 7 days a week, and improving notification of local authorities when certain prohibited persons unlawfully attempt to buy a gun. The FBI will hire more than 230 additional examiners and other staff to help process these background checks.

2. Make our communities safer from gun violence.

The Attorney General convened a call with U.S. Attorneys around the country to direct federal prosecutors to continue to focus on smart and effective enforcement of our gun laws.

The President's FY2017 budget will include funding for 200 new ATF agents and investigators to help enforce our gun laws.

ATF has established an Internet Investigation Center to track illegal online firearms trafficking and is dedicating \$4 million and additional personnel to enhance the National Integrated Ballistics Information Network.

ATF is finalizing a rule to ensure that dealers who ship firearms notify law enforcement if their guns are lost or stolen in transit.

The Attorney General issued a memo encouraging every U.S. Attorney's Office to renew domestic violence outreach efforts.

3. Increase mental health treatment and reporting to the background check system.

The Administration is proposing a new \$500 million investment to increase access to mental health care.

The Social Security Administration has indicated that it will begin the rulemaking process to include information in the background check system about beneficiaries who are prohibited from possessing a firearm for mental health reasons.

The Department of Health and Human Services is finalizing a rule to remove unnecessary legal barriers preventing States from reporting relevant information about people prohibited from possessing a gun for specific mental health reasons.

4. Shape the future of gun safety technology.

The President has directed the Departments of Defense, Justice, and Homeland Security to conduct or sponsor research into gun safety technology.

The President has also directed the departments to review the availability of smart gun technology on a regular basis, and to explore potential ways to further its use and development to more broadly improve gun safety.

Congress should support the President's request for resources for 200 new ATF agents and investigators to help enforce our gun laws, as well as a new \$500 million investment to address mental health issues.

Because we all must do our part to keep our communities safe, the Administration is also calling on States and local governments to do all they can to keep guns out of the wrong hands and reduce gun violence. It is also calling on private-sector leaders to follow the lead of other businesses that have taken voluntary steps to make it harder for dangerous individuals to get their hands on a gun. In the coming weeks, the Administration will engage with manufacturers, retailers, and other private-sector leaders to explore what more they can do.

New Actions by the Federal Government

Keeping Guns Out of the Wrong Hands Through Background Checks

The most important thing we can do to prevent gun violence is to make sure those who would commit violent acts cannot get a firearm in the first place. The National Instant Criminal Background Check System (NICS), which was created by Congress to prevent guns from being sold to prohibited individuals, is a critical tool in achieving that goal. According to the Bureau of Justice Statistics, the background check system has prevented more than 2 million guns from getting into the wrong hands. We know that making the system more efficient, and ensuring that it has all appropriate records about prohibited purchasers, will help enhance public safety. Today, the Administration is announcing the following executive actions to ensure that all gun dealers are licensed and run background checks, and to strengthen the background check system itself:

- **Clarify that it doesn't matter where you conduct your business—from a store, at gun shows, or over the Internet: If you're in the business of selling firearms, you must get a license and conduct background checks.** Background checks have been shown to keep guns out of the wrong hands, but too many gun sales—particularly online and at gun shows—occur without basic background checks. Today, the Administration took action to ensure that anyone who is “engaged in the business” of selling firearms is licensed and conducts background checks on their customers. Consistent with court rulings on this issue, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has clarified the following principles:
 - A person can be engaged in the business of dealing in firearms regardless of the location in which firearm transactions are conducted. For example, a person can be engaged in the business of dealing in firearms even if the person only conducts firearm transactions at gun shows or through the Internet. Those engaged in the business of dealing in firearms who utilize the Internet or other technologies must obtain a license, just as a dealer whose business is run out of a traditional brick-and-mortar store.
 - Quantity and frequency of sales are relevant indicators. There is no specific threshold number of firearms purchased or sold that triggers the licensure requirement. But it is important to note that even a few transactions, when combined with other evidence, can be sufficient to establish that a person is “engaged in the business.” For example, courts have upheld convictions for dealing

without a license when as few as two firearms were sold or when only one or two transactions took place, when other factors also were present.

- There are criminal penalties for failing to comply with these requirements. A person who willfully engages in the business of dealing in firearms without the required license is subject to criminal prosecution and can be sentenced up to five years in prison and fined up to \$250,000. Dealers are also subject to penalties for failing to conduct background checks before completing a sale.
- **Require background checks for people trying to buy some of the most dangerous weapons and other items through a trust or corporation.** The National Firearms Act imposes restrictions on sales of some of the most dangerous weapons, such as machine guns and sawed-off shotguns. But because of outdated regulations, individuals have been able to avoid the background check requirement by applying to acquire these firearms and other items through trusts, corporations, and other legal entities. In fact, the number of these applications has increased significantly over the years—from fewer than 900 applications in the year 2000 to more than 90,000 applications in 2014. ATF is finalizing a rule that makes clear that people will no longer be able to avoid background checks by buying NFA guns and other items through a trust or corporation.
- **Ensure States are providing records to the background check system, and work cooperatively with jurisdictions to improve reporting.** Congress has prohibited specific categories of people from buying guns—from convicted felons to users of illegal drugs to individuals convicted of misdemeanor crimes of domestic violence. In the wake of the shootings at Virginia Tech in 2007, Congress also created incentives for States to make as many relevant records as possible accessible to NICS. Over the past three years, States have increased the number of records they make accessible by nearly 70 percent. To further encourage this reporting, the Attorney General has written a letter to States highlighting the importance of receiving complete criminal history records and criminal dispositions, information on persons disqualified for mental health reasons, and qualifying crimes of domestic violence. The Administration will begin a new dialogue with States to ensure the background check system is as robust as possible, which is a public safety imperative.
- **Make the background check system more efficient and effective.** In 2015, NICS received more than 22.2 million background check requests, an average of more than 63,000 per day. By law, a gun dealer can complete a sale to a customer if the background check comes back clean or has taken more than three days to complete. But features of the current system, which was built in the 1990s, are outdated. The Federal Bureau of Investigation (FBI) will take the following steps to ensure NICS operates more efficiently and effectively to keep guns out of the wrong hands:

- FBI will hire more than 230 additional NICS examiners and other staff members to assist with processing mandatory background checks. This new hiring will begin immediately and increase the existing workforce by 50 percent. This will reduce the strain on the NICS system and improve its ability to identify dangerous people who are prohibited from buying a gun before the transfer of a firearm is completed.
- FBI has partnered with the U.S. Digital Service (USDS) to modernize NICS. Although NICS has been routinely upgraded since its launch in 1998, the FBI is committed to making the system more efficient and effective, so that as many background checks as possible are fully processed within the three-day period before a dealer can legally sell a gun even if a background check is not complete. The improvements envisioned by FBI and USDS include processing background checks 24 hours a day, 7 days a week to improve overall response time and improving notification of local authorities when certain prohibited persons unlawfully attempt to purchase a firearm.

Making Our Communities Safer from Gun Violence

In order to improve public safety, we need to do more to ensure smart and effective enforcement of our gun laws and make sure that criminals and other prohibited persons cannot get their hands on lost or stolen weapons. The Administration is therefore taking the following actions:

- **Ensure smart and effective enforcement of our gun laws.** In a call earlier today, the Attorney General discussed the importance of today's announcements and directed the Nation's 93 U.S. Attorneys across the country to continue to focus their resources—as they have for the past several years under the Department's Smart on Crime initiative—on the most impactful cases, including those targeting violent offenders, illegal firearms traffickers, and dangerous individuals who bypass the background check system to acquire weapons illegally. During the call, the Attorney General also emphasized ongoing initiatives to assist communities in combating violent crime, including ATF's efforts to target the "worst of the worst" gun crimes. These efforts will also complement the following actions announced today:
 - The President's budget for FY2017 will include funding for 200 new ATF agents and investigators who can help enforce our gun laws, including the measures announced today. Strategic and impactful enforcement will help take violent criminals off the street, deter other unlawful activity, and prevent guns from getting into the wrong hands
 - ATF is dedicating \$4 million and additional personnel to enhance the National Integrated Ballistics Information Network (NIBIN). The NIBIN database includes ballistic evidence that can be used by analysts and investigators to link violent crimes across jurisdictions and to track down shooters who prey on our communities. In February 2016, ATF is standing up the National NIBIN Correlation and Training Center—which will ultimately provide NIBIN matching services at one

national location, rather than requiring local police departments to do that work themselves. The Center will provide consistent and capable correlation services, making connections between ballistic crime scene evidence and crime guns locally, regionally, and nationally. These enhancements will support ATF's crime gun intelligence and enforcement efforts, particularly in communities most affected by violent crime.

- ATF has established an Internet Investigations Center (IIC) staffed with federal agents, legal counsel, and investigators to track illegal online firearms trafficking and to provide actionable intelligence to agents in the field. The IIC has already identified a number of significant traffickers operating over the Internet. This work has led to prosecutions against individuals or groups using the "dark net" to traffic guns to criminals or attempting to buy firearms illegally online.
- **Ensure that dealers notify law enforcement about the theft or loss of their guns.** Under current law, federal firearms dealers and other licensees must report when a gun from their inventory has been lost or stolen. The regulations are ambiguous, however, about who has this responsibility when a gun is lost or stolen in transit. Many lost and stolen guns end up being used in crimes. Over the past five years, an average of 1,333 guns recovered in criminal investigations each year were traced back to a licensee that claimed it never received the gun even though it was never reported lost or stolen either. Today, ATF issued a final rule clarifying that the licensee shipping a gun is responsible for notifying law enforcement upon discovery that it was lost or stolen in transit.
- **Issue a memo directing every U.S. Attorney's Office to renew domestic violence outreach efforts.** In the event of an emergency, victims of domestic violence should call 911 or otherwise contact state or local law enforcement officials, who have a broader range of options for responding to these crimes. To provide an additional resource for state, local, and tribal law enforcement and community groups focused on domestic violence, the Attorney General is issuing a memo directing U.S. Attorney's Offices around the country to engage in renewed efforts to coordinate with these groups to help combat domestic violence and to prevent prohibited persons from obtaining firearms.

Increase Mental Health Treatment and Reporting to the Background Check System

The Administration is committed to improving care for Americans experiencing mental health issues. In the last seven years, our country has made extraordinary progress in expanding mental health coverage for millions of Americans. This includes the Affordable Care Act's end to insurance company discrimination based on pre-existing conditions, required coverage of mental health and substance use disorder services in the individual and small group markets, and an expansion of mental health and substance use disorder parity policies, all of which are estimated to help more than 60 million Americans. About 13.5 million more Americans have gained Medicaid coverage since October 2013, significantly improving access to mental health care. And thanks to more than \$100 million in funding from the Affordable Care Act, community health centers have expanded behavioral health services for nearly 900,000 people nationwide over the past two years. We must continue to remove the stigma around mental illness and its treatment—

and make sure that these individuals and their families know they are not alone. While individuals with mental illness are more likely to be victims of violence than perpetrators, incidents of violence continue to highlight a crisis in America's mental health system. In addition to helping people get the treatment they need, we must make sure we keep guns out of the hands of those who are prohibited by law from having them. Today, the Administration is announcing the following steps to help achieve these goals:

- **Dedicate significant new resources to increase access to mental health care.** Despite our recent significant gains, less than half of children and adults with diagnosable mental health problems receive the treatment they need. To address this, the Administration is proposing a new \$500 million investment to help engage individuals with serious mental illness in care, improve access to care by increasing service capacity and the behavioral health workforce, and ensure that behavioral health care systems work for everyone. This effort would increase access to mental health services to protect the health of children and communities, prevent suicide, and promote mental health as a top priority.
- **Include information from the Social Security Administration in the background check system about beneficiaries who are prohibited from possessing a firearm.** Current law prohibits individuals from buying a gun if, because of a mental health issue, they are either a danger to themselves or others or are unable to manage their own affairs. The Social Security Administration (SSA) has indicated that it will begin the rulemaking process to ensure that appropriate information in its records is reported to NICS. The reporting that SSA, in consultation with the Department of Justice, is expected to require will cover appropriate records of the approximately 75,000 people each year who have a documented mental health issue, receive disability benefits, and are unable to manage those benefits because of their mental impairment, or who have been found by a state or federal court to be legally incompetent. The rulemaking will also provide a mechanism for people to seek relief from the federal prohibition on possessing a firearm for reasons related to mental health.
- **Remove unnecessary legal barriers preventing States from reporting relevant information to the background check system.** Although States generally report criminal history information to NICS, many continue to report little information about individuals who are prohibited by Federal law from possessing or receiving a gun for specific mental health reasons. Some State officials raised concerns about whether such reporting would be precluded by the Privacy Rule issued under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Today, the Department of Health and Human Services issued a final rule expressly permitting certain HIPAA covered entities to provide to the NICS limited demographic and other necessary information about these individuals.

Shaping the Future of Gun Safety Technology

Tens of thousands of people are injured or killed by firearms every year—in many cases by guns that were sold legally but then stolen, misused, or discharged accidentally. Developing and promoting technology that would help prevent these tragedies is an urgent priority. America has done this in many other areas—from making cars safer to improving the tablets and phones we use every day. We know that researchers and engineers are already exploring ideas for improving gun safety and the tracing of lost or stolen guns. Millions of dollars have already been invested to support research into concepts that range from fingerprint scanners to radio-frequency identification to microstamping technology.

As the single largest purchaser of firearms in the country, the Federal Government has a unique opportunity to advance this research and ensure that smart gun technology becomes a reality—and it is possible to do so in a way that makes the public safer and is consistent with the Second Amendment. Today, the President is taking action to further this work in the following way:

- **Issue a Presidential Memorandum directing the Department of Defense, Department of Justice, and Department of Homeland Security to take two important steps to promote smart gun technology.**
 - Increase research and development efforts. The Presidential Memorandum directs the departments to conduct or sponsor research into gun safety technology that would reduce the frequency of accidental discharge or unauthorized use of firearms, and improve the tracing of lost or stolen guns. Within 90 days, these agencies must prepare a report outlining a research-and-development strategy designed to expedite the real-world deployment of such technology for use in practice.
 - Promote the use and acquisition of new technology. The Presidential Memorandum also directs the departments to review the availability of smart gun technology on a regular basis, and to explore potential ways to further its use and development to more broadly improve gun safety. In connection with these efforts, the departments will consult with other agencies that acquire firearms and take appropriate steps to consider whether including such technology in specifications for acquisition of firearms would be consistent with operational needs.

<http://townhall.com/tipsheet/katiepavlich/2015/12/22/virginia-to-drop-long-held-concealed-carry-reciprocity-agreements-with-other-states-n2096229>

Virginia to Drop Long Held Concealed Carry Reciprocity Agreements With Two Dozen States

[Katie Pavlich](#) | Dec 22, 2015



According to a report in the [Washington Post](#) this morning, Virginia Attorney General Mark Herring, a Democrat, will unilaterally end the state's long held concealed carry reciprocity agreements with 25 states. The move comes shortly before anti-gun zealot and Michael Bloomberg backed Governor Terry McAuliffe leaves office. The agreements are reportedly being severed with states deemed to have "weaker" concealed carry requirements as compared to Virginia. Specific details about what provisions in other states qualify as weaker have not been provided.

Herring said severing the out-of-state agreements can prevent people who may be dangerous or irresponsible from carrying a concealed weapon.

“To me, this is a commonsense step that can help make Virginians and our law enforcement officers safer by ensuring that Virginia’s laws on who can

and cannot carry a concealed handgun are applied evenly, consistently, and fairly,” he said in a statement provided to The Washington Post.

The State Police superintendent accepted Herring’s recommendation to sever agreements with those states, effective Feb. 1, according to Herring’s office.

The states are: Alaska, Arizona, Arkansas, Delaware, Florida, Idaho, Indiana, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Montana, Nebraska, New Mexico, North Dakota, North Carolina, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Washington, Wisconsin and Wyoming.

Agreements will remain with West Virginia, Michigan, Oklahoma, Texas and Utah.

This move further emphasizes the need for federal reciprocity legislation, which nearly passed in 2013.

The 2015 Constitutional Concealed Carry Reciprocity Act was introduced in the Senate earlier this year by Texas Senator John Cornyn and would treat concealed carry permits like driver's licenses, allowing citizens to travel from state-to-state with their permits recognized. As a result, it will be easier for citizens traveling across state lines to avoid being unfairly charged or prosecuted for exercising their Second Amendment rights.

It should be noted that stripping the concealed carry reciprocity agreements between Virginia and 25 other states in the name of "safety" will actually do nothing at all to keep citizens safer. Criminals regularly carry guns across state lines without permits. Virginia itself is a very transient place with many military families and government workers from all over the country living short term in northern Virginia while working in Washington D.C. This move will not make anyone safer, instead, it places a larger burden on the law abiding.

<http://www.foxnews.com/us/2015/12/31/texas-counts-down-hours-until-new-open-carry-law-takes-effect.html>

Second Amendment

Texas counts down the hours until new Open Carry law takes effect

Published December 31, 2015
FoxNews.com



Gun rights supporters in Texas counted down the hours, minutes and seconds to New Year's Day, because when the clock strikes midnight, licensed firearms owners in the Lone Star State can openly carry their handguns in public.

The non-profit group Open Carry Texas, which supports the law, posted a countdown [on its website](#).

Texas already allows openly carrying rifles and shotguns, but has banned having handguns visible since just after the Civil War. On New Year's Day, it'll be the 45th and largest state to sanction some form of open carry, with California, Florida, Illinois, New York and South Carolina still banning it.

Activists with Open Carry Texas say they support the law, but that it should go farther. "Our ultimate goal will always be constitutional carry - if you can legally own and purchase a gun, you should be able to legally carry that gun without begging for government permission in the form of a license and 2nd Amendment tax," they say on their website.

Texas had nearly 826,000 concealed license holders in 2014, which ranks among the nation's highest. Openly carrying a gun will require obtaining the same license concealed weapons holders have -- be at least 21, have clean criminal and psychology records, complete a training course and pass a shooting test. Concealed handguns are even allowed inside the Texas Capitol, where license holders can bypass metal detectors.

"If you can legally own and purchase a gun, you should be able to legally carry that gun without begging for government permission in the form of a license and 2nd Amendment tax."

- Open Carry Texas

Under the new law, businesses can bar guns from their premises if they post approved signs outside.

Texas also has the country's most federal firearms license holders, from manufacturers to dealers, and the state cites its relaxed gun ownership rules in lobbying gun makers to move here. The National Rifle Association has traditionally pumped tens of thousands of dollars into Texas' state political races, more than it spent many other places, though contribution totals look to be waning recently.

The original open carry bill included a "no-stop" provision barring police from demanding to see the license of someone simply for openly carrying their gun. Tea party legislators didn't want 2nd Amendment rights infringed, while Democrats worried about racial profiling, concerned that blacks and Hispanics might be asked for their licenses more than their white counterparts.

"If I get a gun, I guess I'd better put my hands up," state Sen. Rodney Ellis, a Houston Democrat who is black, said when the measure was debated on the Senate floor.

Austin Police Chief Art Acevedo was an outspoken critic of the "no-stop" provision, saying it would effectively bar police from doing their jobs while endangering the public. Under pressure from Acevedo and other police chiefs, as well as state law enforcement organizations, that language was stripped from the final open carry bill.

But Michael, who is readying Acevedo's force for the new law, said he doesn't expect many officers to ask for licenses. The department is even training its dispatchers to educate the public on the law change, anticipating a barrage of 911 calls about someone openly carrying a gun.

"The call-taker will say it's now legal to do that," said Michael, who said his department has been discussing preparations for open carry for months with police departments across Central Texas.

Police "don't want to not act and then have something devolve into a mass shooting incident, but harassing every person with a holster gun isn't going to solve that," said Shannon Edmonds, director of governmental relations for the Texas District and County Attorneys Association.

"The irony is that you saw many law enforcement agencies lobby strongly against that provision that would have restricted them outright from ever asking if someone had a license

absent other evidence of a crime," Edmonds said, noting that's changed after a number of those same agencies talked with their legal counsels.

Not demanding to see licenses, though, could also make it easier for unlicensed Texas residents to take advantage of the don't-ask environment.

"We've changed things here a lot and we've not thought this through," said Charley Wilkison, executive director of the Combined Law Enforcement Associations of Texas, the state's largest law enforcement officers' union. "People will drive without a license and we can sure count on them to carry a weapon without training or license."

The Associated Press contributed to this report.



<http://www.msn.com/en-us/news/opinion/obamas-action-on-guns-is-a-sign-of-weakness-jonathan-bernstein/ar-AAgr13h>

Obama's Action on Guns Is a Sign of Weakness: Jonathan Bernstein

(Bloomberg View) -- No sooner did Barack Obama roll out a new set of executive actions on guns on Tuesday than we had some useful and thoughtful explanations of the changes he will carry out.

But political scientist Matthew Dickinson protests that resorting to executive action, rather than legislation, is a sign of the weakness of the presidency. I'll summarize that argument:

* In most cases, presidents don't have the authority to do by themselves what laws can do. That's why, as Greg Sargent of the Washington Post points out, Obama's effort is rather modest compared with what he wanted from Congress.

* Executive actions are less permanent than laws. Dickinson reports that only half of the most important executive orders from 1947 through 2003 remain intact. Future presidents can reverse them (as all the Republican candidates are pledging to do in this case); Congress can override them. It may not even need a veto-proof majority. Congress always has the option of packaging a repeal of an executive action with something the president wants to sign, and that might be enough to get the job done.

* Members of Congress from both parties tend (all else being equal) to resent presidents who try to go it alone. Taking action without congressional support may not only make opponents on this policy more stubborn. The hostility can also spill over to other issues as well. And not just in Congress: If a president gains a reputation for running roughshod over the constitutional prerogatives of others, it can make everyone in the system more resistant to anything he does.

All that said, however, using executive action is neither rare nor usually controversial. While Dickinson is right about the costs of acting alone (see also Richard Neustadt), inaction has costs too. Many Democrats in Congress have wanted action on guns, climate, immigration and other issues, and they would have been upset if the president didn't act.

Republicans, meanwhile, have reduced the drawbacks of executive action by ruling out normal legislative dealmaking so often. The more Republicans refuse to consider compromise, or punish their leadership when it does, the less incentive Obama has to be cautious about acting unilaterally.

So, yes, while executive action is a sign of presidential weakness and a cause of further weakness, it's still in many cases Obama's least bad choice.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.

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<http://www.wacotrib.com/news/politics/confusion-reigns-across-texas-on-new-open-carry-la>

Posted: Saturday, January 2, 2016 12:01 am



By MORGAN SMITH The Texas Tribune

AUSTIN — As the New Year arrived, so did a new option for gun-toting Texans.

The state's roughly 826,000 handgun license holders, who previously had to keep their firearms concealed, can now carry them openly in a hip or shoulder holster.

Across Texas, law enforcement officials, city leaders and business owners are bracing for lawsuits.

That's because state officials have so far largely left interpretation of the new law, which Gov. Greg Abbott signed in June, up to local authorities. Prosecutors and police chiefs across the state's 254 counties will now each determine their own answer to what was one of the most hotly debated questions of the 2015 legislative session: whether police officers can ask those visibly carrying guns to present their permits.

“There is a difference of opinion about whether or not just the mere fact that someone is walking down Main Street carrying a pistol in a holster is sufficient probable cause for a police officer to insist on seeing their handgun permit,” said Kevin Laurence, executive director of the Texas Municipal Police Association. “We

are going to wind up having to get court cases out of this defining exactly what authority police officers have.”

Heralding the new open carry law as a much-needed update to the state’s gun regulations, Second Amendment rights activists say it lifts a burden unfairly placed on law-abiding citizens.

“I believe the state is prepared for a smooth, simple transition from concealed to open carry, though I expect most people will continue to carry concealed,” state Sen. Craig Estes, the Wichita Falls Republican who sponsored the legislation, said in a statement. “I truly believe the new law will benefit all law-abiding Texans.”

But the legislation’s critics have warned it could have negative consequences for tourism, [retail](#) and public safety in the state.

And when it comes to enforcement, confusion reigns.

Laurence said his organization, which represents more than 22,000 Texas law enforcement officers at the state, county and local level, has advised police officers to seek guidance from their departments on how they should approach open carry — and whether they need some evidence or suspicion of criminal activity to ask to see someone’s gun permit.

“The biggest emotion going on out there is confusion,” he said.

While the law protects existing “gun-free zones” — school campuses, [courthouses](#) and certain public property, for example — there’s still some uncertainty about where such zones begin and end.

In September, state Sen. John Whitmire, a Houston Democrat who opposes open carry, asked Texas Attorney General Ken Paxton whether the law merely gave schools the authority to prohibit guns in buildings and classrooms, or whether that authority extended to all district property, including parking lots, sidewalks and driveways.

Attorneys for Hays and Tom Green counties both asked Paxton to clarify their authority to limit handguns in multipurpose government buildings that also house courts. Their question boils down to whether officials may only ban guns in rooms

where court proceedings take place — or if they can bar them from an entire building if the building houses a courtroom, said Hays County Criminal Attorney Wes Mau.

Paxton offered some clarification on the new law in three advisory opinions [issued on Dec. 21](#). He ruled that school districts could prohibit weapons on all district property, including sidewalks and driveways, but that local officials could only ban guns from courtrooms, not [entire courthouse facilities](#).

Complicating matters for government entities is a second law legislators passed in 2015, one that imposes a fine on local officials who improperly ban handguns in public places.

But it's not just government entities grappling with open carry. [Businesses in Texas are choosing](#) between allowing open carry of handguns — which can make patrons uneasy — or facing an angry backlash from gun rights activists if they don't.

Shortly [after the law passed](#), Whataburger announced it would not allow open carry in its restaurants. Targeted outrage and calls for a boycott of the San Antonio-based fast food chain led CEO Preston Atkinson to make a public statement on the policy.

He said that while the company supports the Second Amendment, it made the “business decision” not to allow open carry in its restaurants “a long time ago.”

“We’re the gathering spot for Little League teams, church groups and high school kids after football games,” Atkinson wrote. “We’ve had many customers and employees tell us they’re uncomfortable being around someone with a visible firearm who is not a member of law enforcement, and as a business, we have to listen and value that feedback.”

Under the open carry law, if a business wants to prohibit all handguns on its property, it must post two signs in English and Spanish, one banning concealed handguns and another banning open carry.

The new requirements — and the legal threat companies face for not complying — are especially burdensome for small businesses that lack corporate resources like an in-house lawyer, said state Rep. Diego Bernal, a Democrat.

Since October, Bernal has been distributing signs that meet state requirements to small businesses in his San Antonio district that wish to ban firearms.

“The state has zero plan to let people know what to expect — folks are kind of in the dark,” said Bernal. “There are going to be a patchwork of interpretations and probably a patchwork of lawsuits. It was so poorly done.”

<http://www.msn.com/en-us/news/us/meet-kimberly-corban-the-pro-gun-rape-survivor-who-challenged-obama-on-cnn/ar-CChaxU?ocid=ansmsnnews11>

Meet Kimberly Corban, the pro-gun rape survivor who challenged Obama on CNN

On May 21, 2006, Kimberly Corban was a 20-year-old student completing her sophomore year at the University of Northern Colorado. She had just finished finals — summer was on its way. She had her whole life ahead of her.

Then, the unthinkable happened. Around five in the morning, a man broke into her apartment in Greeley, Colo., and, for almost two hours, sexually assaulted her.

“I thought, ‘I’m going to die,’” Corban, now 30, told The Washington Post in a phone interview. “There’s no going back from that.”

Corban’s story did not exactly have a happy ending — or, at least, the ending is ever-evolving. Though her assailant is now serving 24 years to life in prison, she struggled with depression, PTSD and stress-related seizures. And, speaking about her experience, she came to realize how important it was for women to have access to guns to protect themselves.

Then, Thursday night on national television, she got to confront the man she thought wanted to take her guns away: President Obama.

“As a survivor of rape, and now a mother to two small children — you know, it seems like being able to purchase a firearm of my choosing, and being able to carry that wherever my — me and my family are — it seems like my basic responsibility as a parent at this point,” she told Obama during “[Guns in America](#),” CNN’s town hall, after the president announced executive orders on gun control [Tuesday](#).

“I have been unspeakably victimized once already, and I refuse to let that happen again to myself or my kids. So why can’t your administration see that these restrictions that you’re putting to make it harder for me to own a gun, or harder for me to take that where I need to be is actually just making my kids and I less safe?”

[\[As Obama tries to bridge divide on guns, it seems as wide as ever\]](#)

First, Obama praised Corban for showing up.

“Well, Kimberly, first of all, obviously — you know, your story is horrific,” he said. “The strength you’ve shown in telling your story and, you know, being here tonight is remarkable, and so — really proud of you for that.”



© Courtesy Kim Corban Corban with her children.

Then, Obama tried, at length, to answer her question. He pointed out that, though he didn't think Corban's guns necessarily made her safer, he's not trying to take them away.

"I just want to repeat that there's nothing that we've proposed that would make it harder for you to purchase a firearm." And: "You have to be pretty well trained in order to fire a weapon against somebody who is assaulting you and catches you by surprise." And: "There's always the possibility that that firearm in a home leads to a tragic accident." And: "All I'm focused on is making sure that a terrible crime like yours that was committed is not made easier because somebody can go on the Internet and just buy whatever weapon they want without us finding out whether they're a criminal or not."

Corban wasn't impressed.

"I would say it was more of a non-response," she told The Post. "He kind of dodged the question."

Saying Obama was working without a script or a teleprompter, Corban criticized the president's insistence on talking about how guns endanger children every time he "got jammed" at the town hall. Doesn't he understand that she has guns *because* she wants to keep her children safe in her family's home?

“That’s where I understand this violence happens,” she said, mentioning that her daughter will be a year old soon. “It’s not just on the news. It’s not just in far-off places. My nightmares are real. They are my memories. I don’t want that for my own kid.”



© Courtesy Kim Corban Corban.

If Corban’s challenge to the president impressed viewers, it’s perhaps because she has been outspoken about sexual assault since her own. She immediately reported the incident — and even left her rapist’s semen on her leg so police could get a DNA sample of her attacker. She testified for three hours at her assailant’s trial in 2007, helping convict a man who police told her would likely become a serial rapist, and perhaps even a serial killer.

“This happened to me for a reason, and maybe it was to help give women strength to speak up,” Corban said at the time. “I don’t care if you are a stripper or you’ve been drinking — rape is rape, and it’s not your fault. You didn’t ask for this.”

Her willingness to help convict a man — 25-year-old Ronnie Pieros — was publicly praised and, for more than a decade, Corban has continued to work on behalf of sexual assault survivors.

“Corban was clear-headed, strong-willed and visible in the public eye,” the Greeley Tribune editorialized in 2007. “Had she not acted in that manner it’s hard to say if Pieros wouldn’t be walking the streets today, plotting out his next twisted attack. But she did. She’s a free woman now. Pieros sits behind bars. Corban showed other victims how to plot the best revenge.”

“As awful as it was I have turned it into an experience hopefully others can learn from,” she said.

Addressing one of the most divisive issues in America just weeks ahead of the start of primary season in an election year, Corban’s question was provocative and was quickly embraced by conservative outfits like Glenn Beck’s [the Blaze](#).

Kimberly Corban’s “claim that Obama keeps her from buying gun when she already owns one is ridiculous,” one [Twitter user wrote](#). Another [wrote](#): “Kimberly Corban is my hero. I can’t imagine the the courage it takes to stand up like that.”

Asked about her politics, Corban, a community relations director at the Weld County district attorney’s office in Colorado, described herself as “independent-minded.” Though public records show she once registered as a Republican and she criticized Vice President Biden’s views on gun control on [the Blaze in 2013](#), she said she wasn’t prepared to endorse a presidential candidate — and stressed that she did not appear at “Guns in America” in her professional capacity.

“I just want the clear, easy facts not to get lost in the back and forth,” she said.

Asked about her armory, Corban wasn’t talking, though a photo of her packing heat is posted to [her Twitter page](#).

“I actually typically try not to disclose that just for safety’s sake,” she said. “I do have a small concealed carry and I have other firearms which I choose to keep in my home.” To the president’s point that weapons can bring tragedy in homes, like hers, with small children, she said her guns are “completely secure.”

“You don’t have to carry a firearm,” she said. “I’m not telling you that you need to. I just want you to respect my right to do that myself.”

"Putting Lives at Risk": NRA Slams Virginia Attorney General For Severely Limiting Concealed Carry Options

[Katie Pavlich](#) | Dec 23, 2015

In case you [missed it yesterday](#), Virginia Attorney General and Democrat Mark Herring unilaterally eliminated long standing concealed carry reciprocity agreements with 25 states, leaving just five states to be recognized. He did so in the name of "gun safety."

Now, the NRA is slamming the move and Herring for not simply limiting concealed carry options, but for making self-defense for people living or visiting Virginia more difficult.

"Plain and simple, Mark Herring is putting politics above public safety. This decision is both dangerous and shameful. The Attorney General knows that permit holders are among the safest groups of citizens in the Commonwealth and the country. At a time when people are scared and desperately need the ability to defend themselves, Herring has chosen the path of making self-defense harder," Executive Director of NRA's Institute for Legislative Action Chris Cox said in a statement. "Those affected by this reckless political decision are law-abiding citizens - not dangerous criminals. Attorney General Herring is putting lives at risk by removing the constitutional right of law-abiding citizens to defend themselves in the Commonwealth. The National Rifle Association will fight this decision in every arena possible. Further, this reaffirms our commitment to enact national right to carry reciprocity legislation in Congress."

NRA leaders are also calling on citizens to call Herring's office to voice their opposition to the move. Here is the information:

Cynthia E. Hudson
(804) 786-2435
chudson@oag.state.va.us

Kevin O'Holleran

(804) 786-5533
koholleran@oag.state.va.us

Brittany Anderson
(804) 786-3808
banderson@oag.state.va.us

As I mentioned yesterday, Virginia is a very transient place (especially Northern Virginia) with many military families and government workers from all over the country living short term in the state on orders or relocation assignment. Because of this, reciprocity was essential to their own personal safety. Unfortunately, that has been eliminated by Herring. As Cox mentioned in his statement, the NRA will aggressively pursue national reciprocity, which would allow citizens to travel from state-to-state with their permits recognize.

Christie: Hey, Maybe It's Time New Jersey Relaxes Its Gun Laws

[Christine Rousselle](#) | Dec 22, 2015

After a woman in New Jersey was [murdered](#) by her boyfriend while she was forced to wait for permission from the state to purchase a handgun for her own protection, Gov. Chris Christie and the state of New Jersey launched a commission to see if the state's gun laws needed reforming. The commission released its [report](#) on Monday, and said what was already patently obvious: New Jersey's laws [should be](#) relaxed.

The New Jersey Firearm Purchase and Permitting Study Commission was [established on the eve](#) of Christie's presidential campaign last June.

Late Monday afternoon, the commission released its report through the governor's office, calling on the state to "broaden ... the statutory requirement that an applicant must demonstrate a 'justifiable need' to carry a handgun."

Those who can, can demonstrate an urgent need for self-protection "by articulating serious threats, specific threats or previous attacks which demonstrate a special danger to the applicant's life ... could obtain a carry permit if they otherwise qualify."

The commission was created partly in response to the [murder of Carol Bowne](#), a Berlin Township woman murdered in her driveway by her ex-boyfriend, against whom she held a domestic violence protective order, while her application for a handgun permit was still being processed.

"New Jersey citizens should be permitted to defend themselves and not encounter unlawful delays and impediments," Christie said in a statement released to media.

The governor praised the work of the study commission for providing "a set of recommendations that I am proud to wholeheartedly embrace. We will work through the Attorney General to put these changes into effect as quickly as possible."

In April, Christie [pardoned](#) Shaneen Allen, who was arrested for carrying a concealed weapon in New Jersey. Allen was a licensed CCW holder in her home state of Pennsylvania.

When a state's gun laws regularly disarm and arrest those who are in need of protection, it's clear that there *might* just be a problem.

<http://www.alloutdoor.com/2013/07/01/best-buy-ar-15/>

Picking an AR-15 on a budget

a guide for the perplexed

The last few years — and the last six months, especially — have seen a flood of newcomers flock to the tried and tested AR-15 platform. If you're one of those newcomers and you're looking to buy your first or second AR, but for reasons of budget or sheer availability you either can't afford or can't find the \$2,300 rifle of your dreams, then don't despair. We're here to help. There's plenty of quality to be found in the budget AR space, and this guide will help you find it.

The beauty of the Eugene Stoner design is that even the “value line” parts of an inexpensive AR-15 will function and rattle along just fine for the average citizen. That noted, the higher end AR-15 parts will net more reliability, more consistent and better accuracy, maybe look aesthetically a little better, fit a little tighter, and ultimately function for a longer time without problems.

Over the last two years, I have tested and reviewed well over twenty AR-15s at range of price and quality points, and they all worked great. The guns I've hung on to just keep running and running. Some of those AR-15s include Smith and Wesson, Delton, DPMS, Spikes Tactical, Black Rain Ordnance, Double Star, Ruger, Yankee Hill Machine, ASA, JP Rifles, Houlding Precision, Barnes Precision Machine, and more.

For this article, I do not feel compelled to list every brand ever tested or available, because we're lucky that a large variety of quality AR-15 firearms are available. Almost every AR manufacturer uses all the same parts made by the same six to twelve OEM manufacturers; some domestic and some overseas. There are obviously various quality levels and finish levels, so that \$650 AR-15 generally will have a lower quality and/or lower surface finish than a \$1200, \$1500, and \$2500 AR-15.

Note also that I am skipping the “build from parts” and “separately purchased uppers and lowers pinned together” options and focusing on complete, manufacturer-assembled rifles. In either of these build vs buy scenarios, you might be able to piece together a better buy or one which fits

your wants closer than just buying a complete rifle, but in the majority of cases a complete rifle is the best bargain and is backed 100% by a warranty.

Choosing a caliber

Your choice of caliber really comes down to your intended purpose and how much you plan on shooting. It may also come down to whether you will be able to get any ammo for the caliber selected. For your first AR, you're going to want to go with 5.56 Nato if you can get it.

The majority of AR-15s are chambered in 5.56 Nato or .223 Remington, which for all practical purposes are the same ammo. The 5.56 Nato is a smidge longer, and slightly more powerful, so any 5.56-chambered gun will safely shoot .223. The reverse, however, is not necessarily true. Almost every manufacturer will say their .223 Remington chamber will also shoot 5.56 Nato round safely, but you should always check to make sure. Many times 5.56 Nato surplus rounds can be found at a lower price, and it is good to have a flexible gun that can safely shoot either cartridge in the same barrel.

The .223 Wylde is an in-between chambering which will safely shoot either cartridge and is considered more accurate for match shooters — this is my preferred AR-15 chambering for target and match rifles. I prefer a 5.56 Nato chamber for more high reliability rifles.

The AR-15 can also be had in a number of other calibers, including the 300 Blackout, 7.62×39 AK 47 round, and even a .50 Caliber Beowolf round. But if you're looking to buy your first AR-15, I would stick with the basics of a 5.56 Nato- or .223-chambered AR-15.

Barrel length and gas system

For AR beginners, I recommend a 16" or 20" barrel with a mid-length gas system. Now, while "barrel length" is an obvious parameter, it's not clear at first what "gas system length" is. In short, the AR is cycled when the gases released by firing the gun blow back from the barrel into the chamber via a small tube port and tube placed atop the barrel. The length of this tube — pistol-, carbine-, mid-, or rifle-length — determines how long the gases take to travel back into the chamber and how much force the gun is cycled with.

Unless you are going to upgrade to an adjustable gas block at some point on a carbine length gas system, I am a huge fan of mid-length gas systems on 16"-20" barrels and rifle-length gas systems on 20"+ barrels.

I have written articles on this for Syrac Ordnance which explains the intricacies, but in the end, mid-length and rifle-length gas systems deliver a softer shooting than a carbine-length gas system; plus, they give you a lot more real-estate for your support hand. This is why my recommendation for a first AR-15 would be a 16" mid-length gas system. If all you can find is a carbine-length gas system, then don't worry, as you can add an adjustable gas block on to soften the recoil impulse just like the 3-gunners do.

Pawing through the Liberty safe

As I look back at the brands I mentioned in the intro, I would recommend any of them again and again. There are some stand-out AR-15s from a build-quality perspective, and this includes extras, performance, and percentage of US-made components. It is important to note that of the AR-15s I have tested, only Spikes Tactical, Black Rain Ordnance, Doublestar, Yankee Hill Machine, ASA, JP Rifles, Houlding Precision, and Barnes Precision Machine specify that they only use USA made parts; others do or do not specify at all.

That said, 100% US-made ARs are a little more expensive than the rifles which contain a higher percentage of imported parts. Of that list, only Barnes Precision Machine is making nearly every single part in house, down to the tiny little detents. The only parts that BPM outsources are the springs, trigger, and Magpul furniture, but all these are still US manufactured.

After more thought than I would care to admit and numerous articles tossed into the recycle bin, here is the narrowed down short list of my top US-made AR-15 rifle for various purposes.

Best Basic AR-15

A basic AR-15 without the fancy barrel, handguard, and furniture is very hard to come by. Not many end up on the shelf they tend to be sold before they are even off the UPS truck at your FFL dealer. Personally, I like my Spikes Tactical ST15 Mid-Length AR-15 simply because of the very

lightweight barrel. A light basic AR-15 is a good thing. The problem is that Spikes is 12+ months backordered, so an equally good recommendation is to pick up a Doublestar DS-4 Carbine for \$950, or a Daniel Defense priced around \$1000-\$1600.

During the 2013 Shot Show I handled the stunningly light 5.85 Doublestar Constant Carry Carbine. This gun is far from basic, with an Ultralight Ace 7" entry-length stock (9" Ace stock option available), Samson handguard, and slim profile barrel. The Doublestar Constant Carry Carbine my top pick for a light, all-around, basic AR-15 that you can actually get shipped within a month or two.

Overall best buy (upgraded) AR-15

Not to diminish the quality and capabilities of any of the custom manufacturers mentioned here, but I am often asked what is the best buy in AR-15s for an upgraded basic off the shelf AR-15. My answer is always the same: Barnes Precision Machine Patrolman's Carbine. After visiting Barnes Precision Machine, I saw things that changed my mind about other AR-15 manufacturers "basic rifles".

Best 3-gun AR-15

If you are serious about 3-Gun competition, then you are serious about accuracy. And if you're serious about accuracy, then you want a match-quality rifle barrel with 1:8 twist and a .223 Wylde chamber. You cannot go wrong with Barnes Precision Machine's Patrol Rifle, or anything from Black Rain Ordnance, but I will say that my JP Rifle upper is the most accurate barrel I own. It's also the softest-shooting. With upgraded extras like the JP Compensator, match trigger, ultra-light bolt carrier, and adjustable gas block, it shoots fast while delivering the recoil of a .22LR rimfire. If you look at the top spots on the 3-Gun podium, most are using JP barrels and compensators. Priced around \$2000-\$3000.

Best custom combat AR-15

There are combat rifles and then there are premium custom combat rifles offering the best of everything in the industry all executed like a finely

tailored suit. Houlding Precision is my choice for a custom combat rifle, and if you want precision, they can do that. In my case I had a definite vision of what I wanted in a top-end combat rifle and was willing to see what they created. My Houlding Precision custom “#4” rifle is the single lightest 18” AR-15 I have ever held. It also has a mile-long list of the best military parts like Troy, Daniel Defense, Noveske, and Magpul, all built around Houlding’s billet-machined and CeraKoted upper and lower receivers. Priced around \$1200-\$2800, depending on options.

Best fully-custom, off-the-shelf AR-15

If you want both show and the go of a fully custom AR-15 with the accuracy of a precision varmint, Black Rain Ordnance is your best deal. Initially Black Rain grabbed attention with their skull and their crazy aqua-transfer-dipped, custom-billet-machined receivers, but when you look closer it is far more than just flash. No other company is packing more custom parts in an AR-15 than Black Rain. Nickel boron bolt carrier group, match-grade, polygonal-rifled, 1:8-twist, .223 Wylde-chambered stainless barrel, Geissele match trigger, custom extended quad rail fore-end, anti-roll pins, custom compensator, ceramic coated receiver, high end soft case, single-point sling and mount, on and on. The best part is that you can walk into most Scheels, Cabelas, or other gun shops and purchase and go shoot. Priced around \$1500-\$2200.

Best bench and varmint gun

Any of the 3-Gun recommendations above will work as a varmint gun, but I am fond of the side-charge receiver from American Spirit Arms. The side charge makes operating the bolt, charging, and weapon clearing easy and comfortable from any position that you’ll find yourself in in a hunting environment. The 16” Stainless Bull Barrel also delivers Sub-MOA accuracy precision for accurate shots on gopher-sized targets out to 300 yards. The stubby 16” barrel is compact and significantly lighter than standard 20”-22” varmint bull barrel without sacrificing any accuracy. Priced around \$1500.

The winner: Barnes Precision Machine

For less than \$1300, the Barnes Precision Machine CQB Patrolman's Carbine MOE Package delivers a Mil-Spec upper and lower receiver; accurate match-grade, .223 Wylde, 1:8 twist barrel; precision-made carrier; bolt which has a reamed (vs peened) bolt retainer pin hole; tensioning screw on the receiver; captured rear spring detent; excellent flash hider; and a free-float fore-end which can accept simple and inexpensive Magpul rails. All of this goodness is made on-site here in the USA. The gun has more nice touches than most custom AR-15s, all for \$1275. The only thing missing to make this rifle stellar is a Geissele SSA-E trigger — add that and you can hang shot-for-shot with high-dollar rifles.

For each rifle you purchase from BPM, they have an agreement with Leupold and Eotech that they will sell you an Eotech or Leupold optic of your choice for BPM's dealer price. You do not need to order the optic with the rifle — there is a limit of one optic at the special price per BPM rifle purchased. This could pay for a third of the rifle price in the optic savings, and it hands-down makes the BPM AR-15 the best buy winner.

Final thoughts: what about my x brand AR-15 that I love?

You may have a brand you like or love more. At this stage of gun buying frenzy, it may not matter what AR-15 you own, but that you do own something. Support the US economy and go buy an US-made AR-15.



<http://www.foxnews.com/entertainment/2016/01/13/hollywood-stars-follow-obamas-gun-control-script-tweeting-white-house-talking/?intcmp=obinsite>

Hollywood stars follow Obama’s gun control script, tweeting White House talking points on cue

By Hollie McKay

·Published January 13, 2016

·FoxNews.com

LOS ANGELES – Hollywood stars make their living delivering lines written by others, and on the subject of gun control many are quoting a script written by an unlikely source – the White House.

An email sent last week to Tinseltown’s A-listers by Associate Director of Public Engagement at the White House Jesse Moore – titled “Artists & Entertainers Unite to #StopGunViolence” and addressed to “Family” – offered Twitter-ready talking points for showing support for President Obama’s gun control agenda. FoxNews.com, which obtained a copy of the email, compared it to tweets sent by such stars as Ashton Kutcher, and found that the stars passed the thoughts on to adoring fans with little or no ad-libbing.

“This seems an unprecedented abuse of White House influence to manipulate the public into believing celebrities genuinely supported the president,” said Dan Gainor, vice president of business and culture at the Media Research Institute. “Hollywood is just an extension of Obama’s press office.”

“This seems an unprecedented abuse of White House influence to manipulate the public into believing celebrities genuinely supported the president.”

- Dan Gainor, vice president of business and culture at the Media Research Institute

The email followed last Obama's Jan. 5 announcement that he was issuing an executive order to require that anyone selling firearms get a license and conduct background checks, deploying more than 200 Alcohol, Tobacco and Firearms agents and investigators to enforce existing laws and pushing \$500 million in spending on mental health issues he says are related to gun violence.

It is not known how many people the email went out to, but sources said it was received by several high-profile actors, directors, publicists, producers and writers. It offered cut-and-paste language to fit Twitter's 140-character limit, as well as President Obama's agenda.

"Below you have: short and long-term action steps, more info on POTUS's actions, highlights from YOUR Tweets thus far (thank you!), and draft Tweets for you to build from if helpful," the letter read.

It went on to offer step-by-step guidance for powerful entertainment figures to use their clout in the service of Obama.

"Make your voice heard on social media today using #StopGunViolence and see how many of your peers you can get to do the same," it read. "I'll make sure everyone here knows you have the President's back.

The White House's Office of Public Engagement, which disseminated the informal instructions, bills itself as the "embodiment of the President's goal of making government inclusive, transparent, accountable and responsible," also provided "draft tweet language" that included a link to the White House gun control campaign.

Examples included:

- @POTUS is taking new commonsense steps to help #StopGunViolence.
- @POTUS is taking steps to keep guns out of the wrong hands through background checks.
- FACT: Each year, more than 30,000 American lives are cut short by guns. It's time to #StopGunViolence.
- FACT: Guns now kill as many people as cars in almost half of the U.S. It's time to #StopGunViolence.
- @POTUS is strengthening our background check system.

Among the stars who dutifully relayed the messages to their followers were Ashton Kutcher and Mark Ruffalo, who tweeted “@POTUS is taking steps to keep guns out of the wrong hands through background checks; and famed singer Andrea Bocelli, who tweeted “FACT: Each year, more than 30,000 American lives are cut short by guns. It's time to #StopGunViolence” to his 207,000 followers.

A White House representative told FoxNews.com that such communications are nothing new.

“We involve creative types/athletes in just about every issue and this is one that so many people are passionate about,” said the spokesperson, who asked not to be named. “Yes, we want to meet people where they are so we ask celebs what issues they are interested in... All of this gets the message out further to a broad number of people which is always helpful.” Other stars, including Julianne Moore, Melissa Joan Hart, Kerry Washington and Janelle Monae were ready to go with the #StopGunViolence hashtag on the very day Obama announced his executive orders. Days later, some 100 Hollywood heavyweights including Bradley Cooper, Jessica Alba and Judd Apatow to Olivia Munn, Edward Norton, Will Ferrell and Olivia Wilde went even further by sending a joint letter addressed to the President – but more likely targeted at the people who buy movie tickets.

“Thank you for beginning to end this national disgrace and show your fellow citizens and the rest of the world that the United States of America does indeed stand for the principles of which it was founded,” read the letter, which was sponsored by the Brady Campaign and Center to End Gun Violence.

Celebrity and politics have long been intertwined, said Brown University Sociology Professor Hilary Levey Friedman. Given the immediacy of social media, it is understandable that the White House would want to sharpen the message.

“To assure an accurate message is shared, politicians clearly want to be as detailed as possible when enlisting celebrities and their platforms,” she said, referring to the “draft language” guidelines.

Still, such close coordination with the White House amounts to “Using allies to spoon feed and crowd-source radical political propaganda,” said Matthew Vadum, senior editor at the Capital Research Center.

“In the Obama era, the entertainment industry has been openly complicit in administration plans to promote so-called health care reform, for example, gleefully parachuting pro-Obamacare propaganda into TV shows,” Vadum said. “As the president tries to unilaterally crack down on firearms, it's not like he needs to put a gun to Hollywood heads. Zombie-like, they'll repeat any words he stuffs into their mouths.”



Not everyone in Hollywood only believes in carrying guns on set. Superstar tough guy Kurt Russell recently went on ABC's "The View" and delivered an impassioned defense of the Second Amendment.

“I think there is a very strong reason the Founding Fathers had for the Second Amendment, and that is that no government— no government ever— hasn't had to fight its own people, and its own people hasn't had to fight its own government,” Russell told the left-leaning hosts of the daytime show.

Kelly Carlson, star of the FX show “Nip/Tuck,” said being told how to think and what to say by the White House is insulting.

“It makes me sad to see good people being grossly exploited and manipulated, because of their lack of knowledge on the subject,” Carlson said. "If ANY elected official, from ANY political party sent me this mob-style propaganda letter, I'd very disrespectfully tell them to go to hell; I don't subscribe to coercion.”

An outspoken gun owner, Carlson wondered why those who share her beliefs aren't sought out to contribute to the debate.

“If public safety was actually Obama's desired outcome, he would also enlist some of the people who own a firearm,” Carlson said. “Why? Because

neither side wants innocent people to get hurt by a person using one with ill intent.”

<http://www.newswest9.com/story/30811865/new-open-carry-law-not-going-to-affect-nacogdoches-co-courthouse-weapons-ban>

New open carry law not going to affect Nacogdoches Co. courthouse weapons ban

Posted: Dec 22, 2015 3:41 PM CST
Tuesday, December 22, 2015 4:41 PM EST
Updated: Dec 22, 2015 3:49 PM CST
NACOGDOCHES COUNTY, TX (KTRE) -

Action on licensed open or concealed carrying of handguns on Nacogdoches County premises was “passed over” by commissioners this morning. It tells the public nothing changes.

Doing nothing is still significant in setting county policy.

Late night reading for Nacogdoches County commissioners, sheriff, and the assistant county attorney was the Texas Attorney General opinions issued just last night on weapons.

Afterward, they all concluded what the county is currently enforcing is abiding by the law.

"Any part that is utilized by the court you cannot bring a gun into, okay," said Nacogdoches County Sheriff Jason Bridges. And this whole courthouse is utilized by the court. So I'm going to ask the court to consider to keep the status quo of what we're doing now."

The court agreed, concluding no action was necessary on current policy. Still they know the open and concealed carrying laws are up for wide interpretation until someone gets sued.

"We don't want anybody to get sued, but we are in hopes we will end up with some case law that will give us some definitive guidelines," said Keith Bradford, the assistant county attorney.

Counties do have a 15-day protection if enforcement violations are detected.

Verbally, the court indicated it will be removing signs that notify courthouse patrons concealed handguns are prohibited. It will be replaced with explanation of Section 46.03 of the law that all weapons will not be allowed.

There are exceptions to every rule.

Law enforcement can carry guns in the courthouse. So can prosecutors and judges if they have the proper licenses.

The Nacogdoches County Commissioners Court may bring back to the table open carry guidelines for the Exposition Center.

As far as guns in county-owned vehicles, the court concluded the county's Violence Policy already states no guns are allowed, except by law enforcement.

Also today, Houston County Judge Erin Ford says commissioners voted to ban open carry in the courthouse, courthouse annex and sheriff's office. They will keep the ban on concealed guns, too.

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<http://www.star-telegram.com/opinion/editorials/article52567495.html>

<http://townhall.com/tipsheet/mattvespa/2015/12/17/dhs-official-using-terror-watch-lists-to-infringe-on-second-amendment-rights-would-not-be-appropriate-n2094876>

DHS Official: Using Terror Watch Lists To Infringe On Second Amendment Rights Would Not Be Appropriate

[Matt Vespa](#) | Dec 17, 2015



As we've seen after the horrific San Bernardino shootings earlier this month, President Obama and the Democrats want to integrate [terrorism watch lists](#) into our national background check system for gun purchases, despite the glaring [lack of due process](#) inherent within these webs of secret government lists; lists that would strip Americans of their constitutional rights on the mere suspicion of being terrorists. It's wrong, and some officials at the Department of Homeland Security seem to agree.

Alan Bersin, DHS's Assistant Secretary for International Affairs, Chief Officer for the Office of Policy, testified before the House Oversight Committee earlier this morning on the how to better track and vet foreign nationals entering the United States who might be national security risks. When Congressman Blake Farenthold (R-TX) asked about whether these lists would be appropriate to curb a U.S. citizen's right to firearms, Bersin said he didn't believe that it would be proper:

REP. BLAKE FARENTHOLD: "Alright, I guess my concern with this is there has been a lot of talk recently about using these watch lists for purposes other than they were intended. For instance, in determining whether or not Americans are able to exercise their rights under the second amendment. Do you think it is appropriate that these lists be used outside of what they were designed for?"

ASSISTANT HOMELAND SECURITY SECRETARY FOR INTERNATIONAL AFFAIRS ALAN BERSIN: "I have not heard that and I don't believe that it would be -- and I believe it would be apples and oranges."

REP. FARENTHOLD: "All right. Thank you very much."

Nearly 300,000 people on these lists have *zero ties* to terrorism. The fact that the lion share of these people are non-citizens living outside of the U.S. makes them ineligible to buy firearms. It's estimated around [10,000 Americans](#) are on these lists, but one could argue that this move by the Obama administration is a soft attempt to limit access to firearms for people who haven't been convicted of anything. This president, and his party, wants to limit the number of guns in civilian hands, so if 10,000 people have to be sacrificed--then so be it. Fortunately, not everyone at DHS is brain dead on this issue.

It was quite departure from last week's hearing, where Rep. Trey Gowdy (R-SC) [grilled another DHS official](#) on the due process of law, regarding these lists and their possible use to infringe on the Second Amendment.

Friendly Reminder: At least [72 DHS employees](#) are on the terror watch list.

<http://www.guns.com/2016/01/08/what-do-new-obama-rules-mean-for-private-gun-sales/>

What do new Obama rules mean for private gun sales?

1/08/16 | by [Chris Eger](#)

This week's executive actions from the White House include new guidance on when a federal firearms license is required to sell guns, kind of.

Based on the Gun Control Act of 1968, current laws as regulated by the Bureau of Alcohol, Tobacco, Firearms and Explosives require persons who are “**engaged in the business**” of dealing in firearms be licensed.

Generally, if an individual repetitively buys and sells firearms with the goal of turning a profit, they do need a license while someone making occasional sales from a personal collection do not. Those violating such laws, if prosecuted and found guilty, face up to five years in prison, a fine up to \$250,000, or both.

The ATF will not define how many gun sales would require someone to be licensed, relying instead on a host of other factors that accompany the unlicensed sale such as if the seller represents themselves as being “engaged in the business” through the use of advertising or business cards and other circumstances such as accepting credit card payments or quickly reselling recently bought firearms — though they do advise that one may break the law if these factors are present “when only one or two transactions took place.”

On Monday, the White House released a **fact sheet** on President Obama's latest crop of gun control actions which included potential new direction that a person can be engaged in the business of dealing in firearms even if they only sell at gun shows or through the Internet and advised that, along with other factors, courts

have upheld convictions for selling without a license “when as few as two firearms were sold.”

The ATF then followed up **by posting** late Monday the existing and unchanged guidance to explain what those factors are. When confused respondents argued for clarification, the ATF reiterated there was effectively no change on their end.

“None of the statutes involving the term ‘engaged in business’ have changed. This pamphlet is just another tool ATF has published featuring scenarios we are most frequently presented by the public,” the agency said, adding, “If you are selling from your personal collection, you do not need a license.”

This was followed by a press conference with the President on Tuesday where the guidance, seemingly stronger, was repeated.

“Number one, anybody in the business of selling firearms must get a license and conduct background checks, or be subject to criminal prosecutions,” the President **said**. “It doesn’t matter whether you’re doing it over the Internet or at a gun show. It’s not where you do it, but what you do.”

To help decode the confusion over the issue, Guns.com reached out to C.D. Michel, the senior counsel for Michel and Associates in Long Beach, California, the attorney behind a number of gun rights wins in federal court to include the **Peruta** “may-issue” challenge.

As Michel explained, the term at the heart of the matter has been long-standing. “The definition of ‘engaged in the business,’ and the exceptions that were thoughtfully and deliberately built into it when the law was first passed, have been litigated and interpreted by regulatory agencies, courts, lawyers, and gun owners for many years,” Michel said.

“As the legal meaning of the term became well settled over time, Congress accepted the interpretation and never saw a need to change the statute. Over the

years the law's requirements have become common knowledge and accepted practice among those who weren't covered by the law," he explained.

What concerns Michel is that, if the White House has directed a move to change the law from the Oval Office, the change itself would be illegal.

"Now, at the stroke of a pen by one politician with no law making authority under the constitution, the meaning of the law is unilaterally changed overnight, and tens of thousands of people will be deemed criminals if they do exactly the same thing they have been doing with the government's blessing for years," Michel said.

In the end, with no legal standing to change the law without undertaking the official — and lengthy — rule making procedure or going through Congress, all the President's new conversation on transforming how "engaged in the business" is prosecuted falls short of reality.

Michel paints it as a bait and switch. "This presidential power grab, like other ill-conceived but heavily promoted gun ban proposals of late, is meant to distract people so they don't realize that the government is powerless to protect us from terrorist attacks by the lone wolf religious fanatics," Michel said.

"But more and more people are seeing through this political spin," he said.

"Millions of people now realize that no gun law can protect us from terrorists or violent criminals, and that their safety is their own responsibility. So are voting with their wallets, buying millions of firearms to protect themselves."

http://www.gunsandammo.com/first-look/first-look-new-colt-products-for-2016/?utm_source=newsletter&utm_medium=email&utm_campaign=editorial&utm_term=gunsandammo&utm_content=mainarticleurl

First Look: New Colt Products for 2016

by Keith Wood | January 7th, 2016

[Colt's Manufacturing](#) introduced three new products for the start of 2016: the Colt Competition Pistol, the Colt Lightweight Commander and the Colt Expanse M4 Carbine. The Colt Competition Pistol is race ready right out of the box, the Lightweight Commander gives 1911 lovers an option for concealed carry and the Expanse M4 is designed to be a building block for the first-time AR buyer.



The Colt Competition Pistol

The 1911-style Colt Competition Pistol, which is available in both .45 ACP and 9mm, incorporates Colt's innovative Dual Spring Recoil System developed for

the [Marine Corps' M45A1 Close Quarter Battle Pistol](#) in order to reduce recoil and help control muzzle rise at critical moments.

“This pistol is competition grade,” said Mark Redl, Team Colt sponsored shooter and product manager for Colt. “We designed a pistol that you can buy on the way to a match.”

Additional features include Novak’s new adjustable rear sight and fiber optic front sight, competition ergonomics including G10 grips, an undercut trigger guard, and upswept beavertail safety and a National Match barrel. The Colt Competition Pistol carries a suggested retail price of \$899.



The Colt Lightweight Commander

The Lightweight Commander, one of the most popular carry guns in history, is once again available from the factory, now in an enhanced format. The pistol, also offered in .45 ACP or 9mm, affords 1911 enthusiasts the ability to conceal carry their favorite platform pistol comfortably. With a shorter profile and lower weight than a traditional full-size Government Model, the Lightweight Commander offers the Dual Spring Recoil System and custom Colt G10 grips, among other enhancements.

“We wanted to offer something special to the concealed carry enthusiast who wants that authentic Colt experience in a package that can add both confidence and comfort,” Spitale said.

This pistol incorporates numerous features that were traditionally considered custom options on a 1911 including Novak sights, a beavertail grip safety, and extended safety lever, and a skeletonized trigger. Suggested retail on the Lightweight Commander is \$949.



The Colt Expanse M4

The Expanse M4 puts a basic [Colt AR-15](#) within reach of shooters looking to enhance their collections, or the first-time buyer looking for a starting point on which to build a task-specific carbine.

The Expanse M4 features a railed flattop receiver, a lightweight barrel with a GI-style flash hider, and an adjustable/collapsible buttstock. The modularity of the design allows for a seemingly endless combination of user-installed features and accessories. The Expanse M4 is chambered in 5.56mm NATO and retails for \$699.



<http://edition.cnn.com/2016/01/04/politics/obama-loretta-lynch-gun-control-actions/index.html>

Obama confident gun control moves will be legal



By [Gregory Krieg](#), CNN

Updated 2159 GMT (0559 HKT) January 4, 2016

New York (CNN) President Barack Obama said Monday he was confident his plan to go around Congress and implement new gun control measures by executive action would withstand any legal challenge.

"These are not only recommendations that are well within my legal authority and the executive branch," Obama told reporters gathered in the Oval Office. "But they are also ones that the overwhelming majority of the American people, including gun owners, support and believe in."

With Attorney General Loretta Lynch by his side, the President said he planned to roll out the new restrictions, aimed at combating a wave of recent shootings, in the coming days. He will hold a town hall on the topic Thursday that will air on CNN and is expected to make it a focus next week during his final State of the Union address.

After seeing a broad set of gun control initiatives repeatedly stalled or defeated by Congress, White House sources said last week it would pursue unilateral action, likely including some effort to bolster background check requirements for a wide range of sellers, enraging critics who see this as presidential overreach.

"Pretty soon you won't be able to get guns," Donald Trump [told CNN's Chris Cuomo Monday during an interview on "New Day."](#) "It's another step in the way of not getting guns."

Ahead of Obama's meeting, House Speaker Paul Ryan called out the President's "dismissiveness" toward the Second Amendment as well as Congress.

"While we don't yet know the details of the plan, the President is at minimum subverting the legislative branch, and potentially overturning its will," Ryan said in a statement Monday. "His proposals to restrict gun rights were debated by the United States Senate, and they were rejected. No President should be able to reverse legislative failure by executive fiat, not even incrementally."

The House Democrats' gun violence task force members are also meeting with Obama on Monday.

A day earlier, Hillary Clinton told Radio Iowa she applauded the President's new push, but warned any executive action was likely to fall short the comprehensive reform favored by most in her party.

"We've got to act," she said, "but I don't think that's enough and I think we're going to have to keep pushing forward on the political front and I intend to do that, to take on the gun lobby and to work with responsible gun owners."

On the trail Monday, Clinton again said she backed the President's efforts, but warned that voting a Republican into office in 2017 would effectively undo any progress that followed.

Obama said in his radio address on New Year's Day he would be meeting with Lynch to "discuss our options," as opposed to doing nothing.

"I get letters from responsible gun owners who grieve with us every time these tragedies happen; who share my belief that the Second Amendment guarantees a right to bear arms; and who share my belief we can protect that right while keeping an irresponsible, dangerous few from inflicting harm on a massive scale," he said.

The most sweeping action currently being considered, an executive order defining who's "engaged in the business" of selling guns, would immediately require some private dealers to obtain a license and begin conducting background checks.

But efforts to even partially close the so-called "gun show loophole" are sure to prompt a rash of challenges in court. The resulting rulings and subsequent appeals are likely to drag on well beyond the end of this administration.

Obama's plan has already drawn heated criticism from Republicans, especially among the party's presidential candidates.

In New Hampshire, Chris Christie again called the actions "an overreach."

"That's why I called him a petulant child yesterday," the New Jersey governor said on Monday. "That's what he's acting like."

Over the weekend, [Marco Rubio said reversing Obama's potential actions](#), which he described as part a "war on the Constitution," would be his top priority upon entering the White House.

While on the trail Monday, the Florida senator recounted a recent news story of nine-year-old in Miami who died from a gunshot wound and who was on a sports team with his youngest son.

"No law in the world would have prevent that," Rubio told a crowd in New Hampshire, saying deaths from gun violence are a "societal issue."

"We as a society need to take responsibility for our children, for our families, for our communities and begin to address what is rotten what is broken in our culture that has led people to have no respect for human life," he added.

Ted Cruz, whose spokeswoman Catherine Frazier this weekend called Obama's plan "complete lunacy," said on Monday the President "is once again going to abuse his power to try seize our guns."

And in a phone interview with CNN, House Freedom Caucus Chairman Jim Jordan, R-Ohio, said he was still awaiting to hear the details on what the President will announce, but noted the GOP could mount a legal challenge to try to block implementation of any new rules.

"We may have to go to court just like we did with executive amnesty a year ago," Jordan told CNN.

Jordan also said Republicans could look to the appropriations process to block money, but said Republicans would discuss a more detailed response when they learn the full plan from the White House later this week.

However, a spending bill passed before the holidays funds government agencies through September 2016 means there's not much in the near term the GOP-led Congress could do to block funds to specific programs until the next fiscal year.



<http://www.foxnews.com/us/2015/12/08/maine-school-official-apologizes-for-post-about-white-christian-men-with-guns/?intcmp=hpbt2>

Maine school official apologizes for post about 'white Christian men with guns'

Published December 08, 2015
·FoxNews.com

A Maine high school official who said the only terrorists Americans should fear are "domestic white 'Christian' men with easy access to guns" will not be fired, the school's superintendent told FoxNews.com Tuesday.

Piet Lammert, vice principal of Camden Hills Regional High School in Rockport, posted the controversial remarks on his Facebook page, one day after a white lone gunman shot and killed three people and wounded nine others at a Colorado Planned Parenthood clinic on Nov. 27.



"The only terrorists we need to fear are domestic white 'Christian' men with easy access to guns. Vote Bernie," Lammert wrote.

After public criticism of the post -- which has since been removed -- Lammert penned an apology Nov. 29 on his Facebook page.

"I am writing to take responsibility and apologize for a post that I made on my private Facebook account yesterday," wrote Lammert. "I mistakenly left my setting open to

'Public' and in doing so made a post that offended some members of our community and beyond."

"I deeply regret doing so, take full responsibility, and hope that those I offended will accept my apology," he said. "I would also ask that those who shared my post would share my apology as well so that it reaches those who I offended but don't personally know."

Days later, after a Muslim couple radicalized by ISIS gunned down 14 people in California, Lammert issued a second, lengthy apology for his comment on the social media site.

"With true humility, I write to apologize for the offensive statement that I recently posted on Facebook," Lammert wrote last Friday, two days after Syed Rizwan Farook and Tashfeen Malik opened fire at a holiday party in the Inland Regional Center in San Bernardino, killing 14 people and injuring 21 before they were killed in a fierce gun battle with police.

"I did not intend this statement literally when I wrote it -- it was an exaggeration -- but soon after realized that it was unintentionally hurtful, offensive, and divisive at a time when more than ever we need compassion and understanding," Lammert said in his second post. "In short, I did not mean what I said and wish with all my heart that I could take it back. But I need to take responsibility for it nonetheless, because I wrote it.

"Had I simply written what I meant, the post would have reflected my urgent distress at the epidemic of mass violence in our country, which more recent events have proven to span all social groups," he continued. "Ironically, in my effort to point out that we run the risk of simplifying the problem by singling out a particular ethnic group, I did exactly that to the group to which I belong. It was careless and rash."

Lammert's apology was shared 129 times and received wide-spread support from other Facebook users.

"Piet I was one of those you truly offended if not the most offended," wrote one man. "My family is full of white Christian men with easy access to guns. My family and I have spent our lives serving our Country, people around the world and I now serve our State.

"That being said I am Christian and forgiving," the man wrote to Lammert. "You are a good man and it took courage to post this and own up to a mistake. You have my respect and trust."

"We support you Piet and I respect you for apologizing to those who were offended. I hope they are open to forgiveness," wrote another person.

Maria Libby, the superintendent of the school system, criticized the Facebook post but defended Lammert's character.

"He understands that he made a mistake and he has tried to take responsibility for that," Libby told FoxNews.com Tuesday -- though she added, "I don't think that everyone in the community would say it's resolved."

"I think that there are people in the community who are quite upset over the post and may not be happy unless that assistant principal is fired," she said.

Libby said the situation has been handled appropriately but did not provide details on what actions were taken. She said he will not be fired.

Libby described Lammert as a "caring, compassionate, open and trust-worthy" vice principal who has worked for 17 years at the school -- first as a guidance counselor.

"He has a stellar reputation in our district," Libby said. "He has been very well loved by students and parents."



This is truly disturbing:

http://www.huffingtonpost.com/amitai-etzioni/needed-domestic-disarmame_b_8739712.html

Amitai Etzioni

Needed: Domestic Disarmament, Not 'Gun Control'

Posted: 12/07/2015 11:45 am EST

In response to the almost daily mass shootings in the United States -- which could be expected to rise now that they are also promoted by ISIS -- good progressive persons are calling for some measure of gun control. They may well know, in their heart of hearts, that even if these measures are enacted, they will do little to reduce gun violence.

Universal background checks of gun buyers is a fine idea, but of limited value in a nation in which citizens already own 250 million guns, more than one for every adult. Providing more mental health treatment is always a good idea. But if you believe that one can tell which mental patients will resort to mass shootings, and that most of these can be stopped by therapists, there are several bridges in Brooklyn I would like to sell you.

Slowing the speed by which magazines can be reloaded (by requiring a tool to reload) would help, but gun manufacturers already found a way to circumvent this regulation -- by declaring that a bottom on the gun is a tool.

“It is at best naïve, sometimes disingenuous, to imply that if several gun control measure would be enacted -- and somehow enforced -- the U.S. would gain what these other nations take for granted.”

Good progressive people may well respond that they must start with small, incremental measures, because the really big, effective ones do not have a prayer. But neither do the tiny ones, at least on the national level. The NRA will not yield an inch.

One needs no better evidence than to note that Congress just refused to ban people on the no-fly list, those strongly suspected of being terrorists, from buying guns legally in the U.S.! Moreover, the NRA is moving the needle in the opposite direction, getting more and more states to allow people to carry concealed weapons, in more and more places.

Most progressives seem unaware that whatever laws are finally enacted will have very little effect because the NRA and its allies in Congress have found powerful ways to

prevent their enforcement. The Firearms Owners' Protection Act of 1986 bans the ATF from inspecting gun dealers more than once in any 12-month period, even if violations are uncovered, and it reduces record-keeping violations from a felony to a misdemeanor offense, the result being that gun dealers are very rarely prosecuted.

The 2003 and 2004 Tiahrt amendments, named for their sponsor Rep. Todd Tiahrt, require that records from the background checks of gun buyers be destroyed within 24 hours, bar requiring gun dealers to conduct inventory checks to monitor gun thefts, and prevent crime gun trace data from being used in court, even when a dealer has broken the law. In addition, Congress has barred the ATF repeatedly from creating a computerized database, so when a gun is recovered at a crime scene, agents must manually search through boxes of paper records to trace the firearm to dealer or purchaser.

Advocates of gun control frequently cite the much lower levels of gun violence in other developed nations -- such as Canada and the UK -- in support of the measures they promote. However, these very low levels of gun violence have not been achieved by gun control but -- by domestic disarmament.

““Make the gun manufacturers liable for harm done with their products. Ban the sale of ammunition. And vote for a president that will add to the Supreme Court those who will read the Second Amendment as written.”

Most people have no guns in these fully democratic nations and have no way of getting them, legally or otherwise. It is hence at best naïve, sometimes disingenuous, to imply that if several gun control measure would be enacted -- and somehow enforced -- the U.S. would gain what these other nations take for granted. (By the way, Black Lives Matters may wish to take note: In these blessed nations most cops, most of the time, have no guns either.)

Given that even micro gun control measures will be effectively blocked by the NRA and its allies, and that promoting mini measures as potentially effective is misleading, progressives may as well go for the big enchilada: Call for domestic disarmament.

One may say that the Supreme Court, after 250 years in which the Second Amendment was read as allowing only a well-regulated militia to have guns, recently reinterpreted it to mean that there is an individualized right to own guns. This suggests that we may have to get to domestic disarmament through the back door.

Make the gun manufacturers liable for harm done with their products. Ban the sale of ammunition. And vote for a president that will add to the Supreme Court those who will read the Second Amendment as written.

Above all, domestic disarmament is a true, compelling vision which cannot be said about the small gun control measures that are currently promoted by some of the most enlightened people among us.



<http://dailycaller.com/2016/01/08/columnist-im-more-afraid-of-legal-gun-owners-than-gun-wielding-criminals/#ixzz3wIF5fv00>

Columnist: I'm More Afraid Of Legal Gun Owners Than Gun-Wielding Criminals

Scott Greer Associate Editor

A Baltimore Sun columnist wrote in a Thursday op-ed that citizens who legally own firearms are more frightening than the criminals who use the weapons on the rough streets of her hometown.

Tricia Bishop, deputy editorial page editor for the Baltimore paper, explained how billboards advertisements for guns and everyday Americans carrying them around made her sick.

"I'm less afraid of the criminals wielding guns in Baltimore... than I am by those permitted gun owners," Bishop said.

She says this because she believes as a middle-class white woman, she's shielded from her city's criminal element but, in her opinion, she's not protected from her neighbors' legally-purchased weapons.

"I have the luxury of being white and middle class in a largely segregated city that reserves most of its shootings for poor, black neighborhoods overtaken by 'the game,'" she wrote. "But I don't know where the legal gun owners are or how to ensure that their children, no matter how well versed in respecting firearms, won't one day introduce that weapon to my daughter."

With this grave threat lying within her neighborhood, Bishop concludes President Obama's recent executive order is not enough and she is entitled to have a gun registry list to protect her kids. She argues this needed in the same way the country has a sex offender registry list, which strongly implies legal firearm owners are as much a threat to children as pedophiles are.

"[H]ow about adding something immediately useful: a gun owner registry available to the public online — something like those for sex offenders. I'm not equating gun owners with predatory perverts, but the model is helpful here; I want a searchable database I can consult to find out whether my kid can have a play date at your house," the columnist asserts.

Bishop admits she grew up around guns and her family members were well-trained in handling the weapons. However, proper training is not enough to win your child a play date with her daughter.

“My folks were taught how to handle guns and use them safely. But that doesn’t do much to allay my fears; it’s the simple presence of the weapon in the home and the possibilities it presents that terrify me,” she confesses.

Further on in the essay, Bishop mentions the infamous New York newspaper that published the home addresses of local gun owners in two counties right outside of New York City as a positive example of what her ideal database would look like and concludes her piece with an admonition towards those citizens who decide to own firearms. (RELATED: [Map Of New York Gun Owners’ Addresses Was Inaccurate, Newspaper Admits](#))

“Gun owners may feel picked on, but they are not a persecuted class. They are individuals who have chosen to keep in their homes an object whose chief purpose is to injure or kill, whether in self defense or otherwise. The rest of us should have a right to know it’s there before we — or our children — enter.”

While Bishop may fear gun owners more than Baltimore’s local criminals, those same criminals set a grim record for the city last year as its murder rate soared to a [new per capita high](#). By November, the city’s 2015 murder rate was 48.97 per 100,000 and many of the killings were committed with illegal guns. [According to a CBS Baltimore report](#), Charm City is awash with thousands of non-legally owned firearms and police believe the development is responsible in part for the city’s skyrocketing homicide rate.



<https://newrepublic.com/article/125498/its-time-ban-guns-yes-them>

It's Time to Ban Guns. Yes, All of Them.

By Phoebe Maltz Bovy

December 10, 2015

Ban guns. All guns. Get rid of guns in homes, and on the streets, and, as much as possible, on police. Not just because of San Bernardino, or whichever mass shooting may pop up next, but also not because of those. Don't sort the population into those who might do something evil or foolish or self-destructive with a gun and those who surely will not. As if this could be known—as if it could be assessed without massively violating civil liberties and stigmatizing the mentally ill. Ban guns! Not just gun violence. Not just certain guns. Not just already-technically-illegal guns. All of them.

I used to refer to my position on this issue as being in favor of gun control. Which is true, except that “gun control” at its most radical still tends to refer to bans on certain weapons and closing loopholes. The recent New York Times front-page editorial, as much as it infuriated some, was still too tentative. “Certain kinds of weapons, like the slightly modified combat rifles used in California, and certain kinds of ammunition, must be outlawed for civilian ownership,” the paper argued, making the case for “reasonable regulation,” nothing more. Even the rare ban-guns arguments involve prefacing and hedging and disclaimers. “We shouldn't ‘take them away’ from people who currently own them, necessarily,” writes Hollis Phelps in Salon. Oh, but we should.

I say this not to win some sort of ideological purity contest, but because banning guns urgently needs to become a rhetorical and conceptual possibility. The national conversation needs to shift from one extreme—an acceptance, ranging from complacent to enthusiastic, of an individual right to own guns—to another, which requires people who are not politicians to speak their minds. And this will only happen if the Americans who are quietly convinced that guns are terrible speak out.

Their wariness, as far as I can tell, comes from two issues: a readiness to accept the Second Amendment as a refutation, and a reluctance to impose “elite” culture on parts of the country where guns are popular. (There are other reasons as well, not least a fear of getting shot.) And there's the extent to which it's just so ingrained that banning guns is impossible, legislatively and pragmatically, which dramatically weakens the anti-gun position.

The first issue shouldn't be so complicated. It doesn't take specialized expertise in constitutional law to understand that current U.S. gun law gets its parameters from

Supreme Court interpretations of the Second Amendment. But it's right there in the First Amendment that we don't have to simply nod along with what follows. That the Second Amendment has been liberally interpreted doesn't prevent any of us from saying it's been misinterpreted, or that it should be repealed.

When you find yourself assuming that everyone who has a more nuanced (or just pro-gun) argument is simply better read on the topic, remember that opponents of abortion aren't wondering whether they should have a more nuanced view of abortion because of *Roe v. Wade*. They're not keeping their opinions to themselves until they've got a term paper's worth of material proving that they've studied the relevant case law.

Then there is the privilege argument. If you grew up somewhere in America where gun culture wasn't a thing (as is my situation; I'm an American living in Canada), or even just in a family that would have never considered gun ownership, you'll probably be accused of looking down your nose at gun culture. As if gun ownership were simply a cultural tradition to be respected, and not, you know, about owning guns. Guns... I mean, must it really be spelled out what's different? It's absurd to reduce an anti-gun position to a snooty aesthetic preference.

There's also a more progressive version of this argument, and a more contrarian one, which involves suggesting that an anti-gun position is racist, because crackdowns on guns are criminal-justice interventions. Progressives who might have been able to brush off accusations of anti-rural-white classism may have a tougher time confronting arguments about the disparate impact gun control policies can have on marginalized communities.

These, however, are criticisms of certain tentative, insufficient gun control measures—the ones that would leave small-town white families with legally-acquired guns well enough alone, allowing them to shoot themselves or one another and to let their guns enter the general population.

Ban Guns, meanwhile, is not discriminatory in this way. It's not about dividing society into “good” and “bad” gun owners. It's about placing gun ownership itself in the “bad” category. It's worth adding that the anti-gun position is ultimately about police not carrying guns, either. That could never happen, right? Well, certainly not if we keep on insisting on its impossibility.

Ask yourself this: Is the pro-gun side concerned with how it comes across? More to the point: Does the fact that someone opposes gun control demonstrate that they're culturally sensitive to the concerns of small-town whites, as well as deeply committed to fighting police brutality against blacks nationwide? I'm going to go with no and no on these. (The NRA exists!)

On the pro-gun-control side of things, there's far too much timidity. What's needed to stop all gun violence is a vocal ban guns contingent. Getting bogged down in discussions of what's feasible is keeps what needs to happen—no more guns—from entering the

realm of possibility. Public opinion needs to shift. The no-guns stance needs to be an identifiable place on the spectrum, embraced unapologetically, if it's to be reckoned with.

Phoebe Maltz Bovy is a writer living in Toronto. She is writing a book with St. Martin's Press about the idea of privilege (2017).



<https://pjmedia.com/news-and-politics/2015/12/9/pelosi-california-gun-laws-didnt-stop-terrorists-so-thats-why-we-need-a-national-gun-law>

Pelosi: California Gun Laws Didn't Stop Terrorists, So 'That's Why We Need a National Gun Law'

By Bridget Johnson December 9, 2015

House Minority Leader Nancy Pelosi (D-Calif.) acknowledged that even with her home state's strict gun laws the San Bernardino terrorists got their weapons, but argued that's reason to expand the statutes federally nonetheless.

Pelosi was asked on PBS about the fact that the guns used in last week's massacre at a county Christmas party were legally purchased in California, which "has one of the tougher gun control laws in the country."

"Well, it is. And the fact is that's why we need a national gun law so that there is no thought that even though one state may have good laws you can buy guns in another place. These, as you said, were bought in California," Pelosi said.

"But the bigger issue is as follows. Overwhelmingly, the American people support sensible background check legislation, expanding the Brady Bill to include online purchases, straw purchases, I can't qualify, you can, you buy it and you sell it to me, and gun shows."

She added that "the most egregious and the one the American people understand clearly" among pending gun legislation "is that if you are on the FBI no-fly watch list, it doesn't disqualify you or prevent you from buying a gun."

"And the NRA does not allow this Congress to take a vote on that. The NRA on a no-fly, FBI watch list. So on both of those bills it's about the NRA intervening when in fact the American people should call the shots."

Pelosi said she doesn't know what Republican support in Congress might exist for an assault weapons ban, but "the assault weapons are bad things."

"Senator [Dianne] Feinstein has been the champion on this issue. But I think that if you look at not the high profile shootings which are terrible and break our hearts and challenge our conscience, but look at the fact that every night many people are killed throughout our country, most of them not with an assault weapon," she continued. "So if

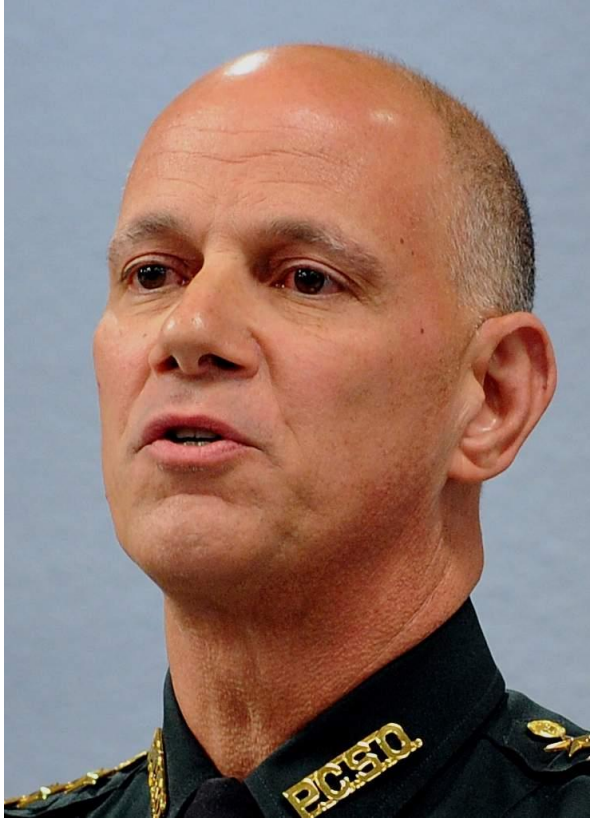
you're going to reduce gun violence in our country, the background check has much more reach than assault weapon ban -- although my colleagues may introduce an assault weapon ban this week as well."

On Campaign 2016, Pelosi predicted that a Donald Trump nomination "would maximize our members of Congress."

"But nonetheless, having said that, it's up to the Republicans to choose their nominee," she added. "We have three great candidates. Any one of them would walk into that Oval Office with all the values of our country, we would be very proud of them whoever she may be."

<http://gunfreezone.net/wordpress/index.php/2015/12/11/death-penalty-for-open-carry-in-florida/>

Death Penalty for Open Carry in Florida.



But Pinellas County Sheriff Bob Gualtieri, a staunch opponent of open carry, said the four amendments wouldn't make the bill acceptable to him — or safe for people who openly display their guns. For instance, he said, if an officer arrives at the scene of a crime and sees someone with a weapon, “At a minimum, they're going to be thrown down on the ground with a gun pointed at them — or worse.”

“And if good citizen with a concealed weapon walks into, say, a bank during an armed robbery, Gualtieri added, “he's going to take one in the chest because he's a threat.””

Source: Florida Police Chiefs Will Back Revised Open-Carry Bill | WLRN

I always felt that people like the Sheriff are so afraid of losing their perceived power that they go to the extremes shown above without realizing that they are insulting their own officers or acknowledging that the training in their particular departments is less than optimal.

I think that Sheriff Gualtieri does not realize that if a tragic case does indeed happen and a citizen Carrying Openly gets shot and killed for doing nothing more than minding his own business, he is setting the county to be on the losing end of a multi million dollar lawsuit. Or maybe it is a fellow officer in plainclothes who “gets one in the chest” because the Sheriff gave a tacit consent to his troops that it would be OK.

Just in case, I am planning on staying the hell out of Pinellas County since they seem to be way too trigger-happy for my taste.

PS: Read the article as it has this juicy beginning:

Acknowledging “momentum” behind a proposal that would allow people with concealed-weapons licenses to openly carry guns, the Florida Police Chiefs Association said Thursday its board of directors had voted to back the controversial measure — as long as changes designed to protect law-enforcement officers are included.

I am not quite in agreement with all the changes, but I can live with them and the idea is to insert the *Camelus bactrianus proboscis* inside the wigwam.

Cities and Firearms

Legal Q&A

(July 2015)

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Author's Note: During the 2015 Legislative Session, the Texas Legislature passed House Bill 910 and Senate Bill 11. House Bill 910 allows a license holder to "open carry" a handgun in a holster beginning on January 1, 2016, and S.B. 11 allows a license holder to, with exceptions, carry a concealed handgun on a college campus beginning on August 1, 2016. That legislation, combined with more frequent rallies and gatherings dedicated to the open carry of rifles, has led to confusion about the law in Texas. This Q&A will address state law and municipal authority over the regulation of "firearms" (e.g., rifles, shotguns, and handguns) in Texas. 2

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In a nutshell, what does the new “open carry” legislation authorize?

House Bill 910, which will be effective on January 1, 2016, modifies the current law relating to concealed handgun licenses. The bill eliminates the concealed/open carry distinction, and it creates a “license to carry a handgun.” *See generally* TEX. GOV’T CODE Chapter 411, Subchapter H.

Beginning on January 1, 2016, H.B. 910 will allow a person with a current concealed handgun license, or a person who obtains the new “license to carry a handgun,” to carry a handgun in a concealed manner or openly in a belt or shoulder holster. The rules related to where and when a license holder may openly carry are essentially identical to where and when a concealed handgun license holder can carry under current law. Of course, those rules remain complicated.

Some distinctions between concealed and open carry exist, especially related to legal notices. Those are explained below. In addition to the existing training criteria, the new license to carry a handgun class must include training on the use of restraint holsters and methods to ensure the secure carrying of openly carried handguns. *Id.* at § 411.188(b) & (g).

Another new law, S.B. 11, allows “concealed campus carry” by a license holder beginning on August 1, 2016. That bill does *not* allow open campus carry. It is discussed in detail below.

In what places is a person *prohibited* by state law from carrying a firearm?

State law prohibits the carrying of certain types of firearms in certain places. A “firearm” generally means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. TEX. PENAL CODE § 46.01(a)(3). A “handgun” is a subset of a firearm and means any firearm that is designed, made, or adapted to be fired with one hand. *Id.* § 46.01(a)(5).

A person commits a third degree felony if the person intentionally, knowingly, or recklessly possesses or goes with *any* firearm:

1. on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless pursuant to written regulations or written authorization of the institution (Note: Beginning August 1, 2016, a “campus concealed carry exception” will apply to this provision that will allow a license holder to carry a concealed handgun on the premises of an institution of higher education [other than the premises of a junior college, on which concealed carry will not go into effect until August 1, 2017] or private or independent institution of higher education, on any grounds or building on which an activity sponsored by the institution is being conducted, or in a passenger transportation vehicle of the institution.);

2. on the premises (“premises” generally means a building or a portion of a building, but not including any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area) of a polling place on the day of an election or while early voting is in progress;
3. on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court;
4. on the premises of a racetrack;
5. in or into a secured area of an airport (i.e., an area of an airport terminal building to which access is controlled by the inspection of persons and property under federal law)(Note: A new defense to this offense was added by H.B. 554, and will be effective on September 1, 2015. The defense essentially says that a license holder who makes a mistake at security by forgetting that he possesses a handgun can leave upon notice); or
6. within 1,000 feet of premises the location of which is designated by the Texas Department of Criminal Justice as a place of execution on a day that a sentence of death is set to be imposed on the designated premises and the person received notice that doing so is prohibited (unless the person is on a public road and going to or from his home or business).

Id. § 46.03. The exclusions above, with the exception of the “campus concealed carry exception” in (1), apply to the carrying of a firearm by any person, *regardless of whether the person holds a license to carry a handgun.* *Id.* § 46.03(f).

Handgun license holders are subject to a number of further restrictions relating to the concealed or open carrying of a handgun. For example, a license holder may not concealed or open carry a handgun:

1. if the license holder is given written notice, on the premises of a business that is licensed by the Texas Alcoholic Beverage Commission and that derives 51 percent or more of its business from the sale of alcohol;
2. if the license holder is given written notice pursuant to Penal Code Section 30.06 that concealed carrying is prohibited, on the premises where a high school, collegiate, or professional sporting event is taking place, unless the handgun is used for the event (Note: Open carry is prohibited on collegiate premises, but S.B. 11 (2015)(Penal Code Section 46.035(1)) authorizes such carry beginning August 1, 2016, and subject to rules of the institution. Thus, the notice requirement was added to this section.);
3. on the premises of a correctional facility;
4. if the license holder is given written notice pursuant to Penal Code Section 30.06 and/or 30.07 that carrying is prohibited, on the premises of a state-licensed hospital or nursing home, unless the administration has granted written permission to the license holder;
5. if the license holder is given written notice pursuant to Penal Code Section 30.06 and/or 30.07 that carrying is prohibited, in an amusement park;

6. if the license holder is given written notice pursuant to Penal Code Section 30.06 and/or 30.07 that carrying is prohibited, on the premises of a church, synagogue, or other established place of religious worship;
7. anytime the handgun is not in a belt or shoulder holster, concealed, or if the license holder is intoxicated;
8. if the license holder is given written notice pursuant to Penal Code Section 30.06 and/or 30.07 that carrying is prohibited, into any meeting of a governmental entity that is subject to the Open Meetings Act; or
9. on the premises of employment if prohibited by the license holder's employer, but an employee may generally leave a handgun in a private, locked car in parking lot.

Id. § 46.035(a), (b)(1), (b)(2), (b)(3), (b)(4), (b)(5), (b)(6); (c); (d); TEX. GOV'T CODE § 411.204; TEX. LABOR CODE § 52.061 et seq.

Note: The language required in the required sign to provide notice that concealed carrying is not allowed *has been changed*, which means any old "30.06" signs must be replaced, and a new provision relating to open carry notice has been added:

- Texas Penal Code § 30.06(c)(3)(A) requires that the sign prohibiting concealed carry contain 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".
- Texas Penal Code § 30.07(c)(3)(A) requires that the sign prohibiting open carry contain 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".

The signs must include the *exact* language above in *both English and Spanish*, be printed in contrasting colors with block letters *at least one inch in height*, and be displayed *in a conspicuous manner clearly visible to the public*.

As one would expect, peace officers, certain security guards commissioned by the Texas Board of Private Investigators and Private Security Agencies, members of the armed forces, corrections officers, and officers of a court are exempt in certain circumstances. *Id.* § 46.03(b) & (h); § 46.15. In addition, a person convicted of a felony or a family violence offense is prohibited from possessing a firearm, with some limited exceptions. *Id.* § 46.02.

It is illegal to possess, manufacture, transport, repair or sell a machine gun ("any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger") or short-barreled gun ("a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a shotgun or rifle if, as altered, it has an overall length of less than 26 inches"), unless federally registered under the National Firearms Protection Act. *Id.* § 46.01(10). 6

Is a person *allowed* by state law to carry a concealed handgun on college campuses?

Beginning on August 1, 2016, a license holder may carry a *concealed* handgun on the campus of an institution of higher education or private or independent institution of higher education in this state. (“Institution of higher education” means any public technical institute, public junior college, public senior college or university, medical or dental unit, public state college, or other agency of higher education. “Private or independent institution of higher education” includes only a private or independent college or university that is organized under the Texas Non-Profit Corporation Act, exempt from taxation under the Texas Constitution and as a 501(c)(3), and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, the Liaison Committee on Medical Education, or the American Bar Association. TEX. EDUC. CODE § 61.003.) However, a license holder may not carry on the campus of a public junior college until August 1, 2017. TEX. GOV’T CODE § 411.2031(b); S.B. 11 (2015), Section 8(a) and (d). “Campus” means all land and buildings owned or leased by an institution of higher education or private or independent institution of higher education. *Id.* at § 411.2031(a)(1). This provision does *not* allow open campus carry.

An institution of higher education or private or independent institution of higher education may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution. *Id.* at § 411.2031(d). After following certain procedures, the president of an institution of higher education must adopt rules as necessary for campus safety, but those rules may not generally prohibit concealed carrying. *Id.* at § 411.2031(d-1)&(d-2)(The board of regents may, by a two-thirds vote, overrule the decisions of the president relating to the rules). If the rules prohibit carrying in any particular premises, the institution must give notice pursuant to Section 30.06, Penal Code. *Id.* It appears that the rulemaking authority is meant to allow an institution to prohibit carrying in sensitive areas, such as those related to secret research or similar endeavors. Any institution that adopts such rules must annually submit them to the legislature explaining why it has done so. *Id.* at § 411.2031(d-4)

A private or independent institution of higher education may also establish rules prohibiting license holders from carrying handguns on the campus of the institution, any grounds or building on which an activity sponsored by the institution is being conducted, or a passenger transportation vehicle owned by the institution. *Id.* at § 411.2031(e). This provision was explained on the Senate floor as balancing Second Amendment rights with private property rights.

The campus carry law creates a criminal offense for a license holder who carries a partially or wholly visible handgun, regardless of whether the handgun is holstered, and intentionally or knowingly 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. TEX. PENAL CODE § 46.035(a-1). It also creates a criminal offense for a license holder who carries a concealed handgun on the campus of a private or independent institution of higher education that has prohibited carry by rule and given notice under Penal Code Section 30.06 that carrying is prohibited. *Id.* at § 46.035(a-2). Finally, it creates a criminal offense for a license holder who carries a concealed handgun in any area

on the campus of an institution of higher education in which the institution has by rule prohibited such carry. *Id.* at § 46.035(a-3).

In what places is a person *allowed* by state law to *openly* carry a firearm?

Long Guns (e.g., Rifles and Shotguns)

The state has no licensing scheme for long guns. Because state law governs firearms, and because it does not prohibit the carrying of a rifle or shotgun in a public place, a person is generally allowed to carry those weapons in public in Texas.

Article I, Section 23, of the Texas Constitution, the “Right to Keep and Bear Arms” provision, provides that:

Every citizen shall have the right to keep and bear arms in the lawful defense of himself or the State; but the Legislature shall have power, by law, to regulate the wearing of arms, with a view to prevent crime.

The above provision is the starting point for whether a person may possess or openly carry a firearm. It allows lawful carrying of firearms, but it also authorizes the state legislature to regulate to prevent crime. Contrary to the opinion of some, neither the Texas Constitutional provision above, nor the U.S. Constitutional provision, is absolute. U.S. Const., Amend. II (“A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.”); *District of Columbia v. Heller*, 554 U.S. 570 (2008)(“the Second Amendment right is not unlimited...[i]t is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.”); *Reyes v. State*, 906 S.W.2d 256 (Tex. App. – Fort Worth, 1995), petition for discretionary review granted, reversed 938 S.W.2d 718, rehearing on petition for discretionary review denied (State constitutional right to bear arms does not prevent legislature from prohibiting possession of arms with intent to prevent crime.).

Handguns without a License

The open carry of handguns in public is prohibited in Texas, unless the person holds a license to carry a handgun (see next question). An unlicensed person may carry a handgun on private property or in a car or boat (technically, in a “watercraft”). A handgun in a car or boat must be concealed. Carrying a concealed handgun in a car or boat does not require a handgun license. More specifically, the Penal Code provides that a person commits a Class A misdemeanor if he or she intentionally, knowingly, or recklessly carries on or about his or her person a handgun 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. TEX. PENAL CODE § 46.02(a).

In addition, 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; or (2) the person is engaged in criminal activity, other than a Class C misdemeanor that is a violation of a law or ordinance regulating traffic or boating. *Id.* § 46.02(a-1). Also, a person may not carry a handgun if prohibited by law from doing so (e.g., if the person is on parole or probation or is a member of a criminal street gang).

Courts have concluded that states have a right to regulate the carrying of handguns, and that neither the Texas nor U.S. Constitutions limit that authority. (The constitutional right “to keep or bear arms in self-defense or in the defense of the state,” is no defense to an indictment for carrying a pistol contrary to the statute. *Heller*, 554 U.S. 570; *Masters v. State*, 685 S.W.2d 654 (Tex. Crim. App. 1985), certiorari denied 106 S.Ct. 155, 474 U.S. 853, 88 L.Ed.2d 128 (Article 1, Section 23, of the Texas Constitution, providing that the legislature shall have power to regulate wearing of arms authorizes Penal Code limitations that define the crime of unlawfully carrying a weapon.).

Handguns with a License

A license holder may generally openly carry a handgun in a hip or shoulder holster beginning January 1, 2016. But see the previous questions (“In what places is a person *prohibited* by state law to carry a firearm?” and “Is a person *allowed* by state law to carry a concealed handgun on college campuses?”) for numerous limitations on that authority.

In what places is a person *allowed* by state law to *concealed* carry a firearm?

Long Guns (e.g., Rifles and Shotguns)

The state has no licensing scheme for long guns. Because state law governs firearms, and because it does not prohibit the carrying of a rifle or shotgun in a public place, a person is generally allowed to carry those weapons in public in Texas.

Handguns without a License

An unlicensed person may carry a handgun on private property or in a car or boat (technically, in a “watercraft”). A handgun in a car or boat must be concealed. Carrying a concealed handgun in a car or boat does not require a handgun license. More specifically, the Penal Code provides that a person commits a Class A misdemeanor if he or she intentionally, knowingly, or recklessly carries on or about his or her person a handgun 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. TEX. PENAL CODE § 46.02(a).

In addition, 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; or (2) the person is engaged in criminal activity, other than a Class C misdemeanor that is a violation of a law or ordinance regulating traffic or boating. *Id.* § 46.02(a-1). Also, a person may not carry a handgun if prohibited by law from doing so (e.g., if the person is on parole or probation or is a member of a criminal street gang).

Handguns with a License

A license holder may generally concealed carry a handgun. *See generally* TEX. GOV’T CODE Chapter 411, Subchapter H. But see the previous questions (“In what places is a person *prohibited* by state law to carry a firearm?” and “Is a person *allowed* by state law to carry a concealed handgun on college campuses?”) for numerous limitations on that authority.

In what ways does state law expressly *preempt* a city from regulating firearms?

State law relating to firearms expressly preempts municipal authority over: (1) the transfer, private ownership, keeping, transportation, licensing, or registration of firearms, air guns,

ammunition, or firearm or air gun supplies; or (2) the discharge of a firearm or air gun (e.g., a pellet, BB, or paintball gun) at a sport shooting range (defined as a business establishment, private club, or association that operates an area for the discharge or other use of firearms for silhouette, skeet, trap, black powder, target, self-defense, or similar recreational shooting). TEX. LOCAL GOV'T CODE §§ 229.001(a); 229.001(e)(1) & (e)(2).

In addition, S.B. 273 passed in 2015. The bill is effective on September 1, 2015, and provides that: (1) a state agency or a political subdivision of the state may not provide notice that a concealed handgun licensee is prohibited from entering or remaining on a premises or other place owned or leased by the governmental entity unless license holders are actually prohibited by state law from carrying a handgun on the premises; (2) a state agency or a political subdivision of the state that improperly posts notice is liable for a civil penalty of: (a) not less than \$1,000 and not more than \$1,500 for the first violation; and (b) not less than \$10,000 and not more than \$10,500 for the second or a subsequent violation; (3) a citizen of this state or a person licensed to carry a concealed handgun may file a complaint with the attorney general that a state agency or political subdivision has improperly posted notice; (4) before a suit may be brought against a state agency or a political subdivision of the state for improperly posting notice, the attorney general must investigate the complaint to determine whether legal action is warranted; (5) if legal action is warranted, the attorney general must give the chief administrative officer of the agency or political subdivision charged with the violation a written notice that gives the agency or political subdivision 15 days from receipt of the notice to remove the sign and cure the violation to avoid the penalty; and (6) if the attorney general determines that legal action is warranted and that the state agency or political subdivision has not cured the violation within the 15-day period, the attorney general or the appropriate county or district attorney may sue to collect the civil penalty, and the attorney general may also file a petition for a writ of mandamus or apply for other appropriate equitable relief.

As written, the bill applies only to a concealed handgun sign under Texas Penal Code Section 30.06. It will likely be amended in 2017 to apply to the new open carry sign under Section 30.06.

In what ways does state law expressly *authorize* a city to regulate firearms?

The Local Government Code expressly authorizes a city to regulate the following:

1. the discharge of firearms or air guns within the limits of the city, other than at a sport shooting range (a city can prohibit or regulate the discharge of a firearm or other weapons within the city's original city limits, but may not do so in annexed areas and the extraterritorial jurisdiction in certain circumstances—see next question). Tex. Atty. Gen. Op. No. GA-0862 (2011);

2. the use of property, the location of a business, or uses at a business under the city's fire code, zoning ordinance, or land-use regulations as long as the code, ordinance, or regulations are not used to circumvent the prohibition against regulating the transfer, private ownership, keeping, transportation, licensing, or registration of firearms, air guns, ammunition, or firearm or air gun supplies, or the discharge of a firearm or air gun at a sport shooting range;

3. the use of firearms or air guns in the case of an insurrection, riot, or natural disaster if the city finds the regulations necessary to protect public health and safety (This exception does

not authorize the seizure or confiscation of any firearm, air gun, or ammunition from an individual who is lawfully carrying or possessing the firearm, air gun, or ammunition);

4. the carrying of a firearm or air gun by a person *other than a person licensed to carry a handgun* at a:
 - a. public park (For example, a city could prohibit anyone other than a handgun license holder from carrying a firearm in a city park. Tex. Atty. Gen. Op. No. DM-364 (1995));
 - b. public meeting of a municipality, county, or other governmental body (A city may prohibit a license holder from attending a meeting with a handgun by posting notice under Penal Code Sections 30.06 and/or 30.07 that doing so is prohibited);
 - c. political rally, parade, or official political meeting; or
 - d. nonfirearms-related school, college, or professional athletic event;

(Note: Items 4a and 4b do not allow municipal regulation 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. TEX. LOCAL GOV'T CODE § 229.001(c).)

5. 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
6. the carrying of an air gun by a minor on: (a) public property; or (b) private property without consent of the property owner.

Id. § 229.001(b). The exceptions above are relatively narrow. For example, the Local Government Code preempts a city housing authority from regulating a tenant's otherwise lawful possession of firearms. Tex. Atty. Gen. Op. No. DM-71 (1991).

Moreover, if a city regulates in violation of state law, the attorney general may bring an action in the name of the state to obtain a temporary or permanent injunction against the violation. TEX. LOCAL GOV'T CODE § 229.001(f).

S.J.R. 22 will be put to the Texas voters on November 3, 2015. The bill proposes an amendment to the Texas Constitution (a new Section 34 to Article I) that will: (1) enshrine in that document that the people have the right to hunt, fish, and harvest wildlife, including by the use of traditional methods, subject to laws or regulations to conserve and manage wildlife and preserve the future of hunting and fishing; and (2) provide that: (a) hunting and fishing are preferred methods of managing and controlling wildlife; (b) the amendment does not affect any provision of law relating to trespass, property rights, or eminent domain; and (c) the amendment does not affect the power of the legislature to authorize a city to regulate the discharge of a weapon in a populated area in the interest of public safety. The amendment actually clarifies existing law relating to city regulation of the discharge of firearms.

In what ways does state law expressly *prohibit* city regulation of firearms?

In addition to the general state law preemption of municipal authority discussed in the question above, other laws have been enacted in recent sessions that expressly prohibit municipal regulation in certain circumstances.

At the request of various landowners and other groups, the legislature amended state law in 2005 (S.B. 734) to limit municipal authority over certain firearms discharges. According to the bill analysis for the legislation:

In some parts of the state, large tracts of land that have traditionally been used for hunting leases have been annexed. Upon annexation, the municipality frequently informs the owners of these large tracts that they can no longer discharge firearms on the property, thereby ending their right to lease their property for hunting. Many owners of these large tracts depend on the revenue generated from their hunting leases.

Because of that analysis and the subsequent passage of legislation, a city may not apply a regulation relating to the discharge of firearms or other weapons in the extraterritorial jurisdiction of the city or in an area annexed by the municipality after September 1, 1981, if the firearm or other weapon is:

1. a shotgun, air rifle or pistol, BB gun, or bow and arrow discharged on a tract of land of 10 acres or more and more than 150 feet from a residence or occupied building located on another property in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
2. a center fire or rim fire rifle or pistol of any caliber discharged on a tract of land of 50 acres or more and more than 300 feet from a residence or occupied building located on another property; and in a manner not reasonably expected to cause a projectile to cross the boundary of the tract.

TEX. LOCAL GOV'T CODE § 229.002. The 1981 date is relevant because that was the date of enactment of another law commonly known as the Agriculture Protection Act (APA) – Chapter 251 of the Agriculture Code. The APA generally prohibits a city from applying nuisance regulations to an agricultural operation if doing so would negatively affect the operation. The Local Government Code provisions reference back to the APA, which makes the firearms limitations above retroactive to property annexed after 1981.

The law, in response to alleged shotgun pellets raining down on a school adjacent to a dove lease, was later amended to give cities in Collin and Tarrant Counties additional authority. *Id.* §§ 229.003 & 229.004.

Can a city prohibit firearms in a city building or facility?

Concealed or Open Handgun Carry by Handgun License Holder

A city has very limited authority to prohibit a license holder from carrying in city facilities to which the general public has access. As mentioned in the second question, above, state law prohibits a license holder from carrying a handgun on the premises: (1) of a polling place on the day of an election or while early voting is in progress; and (2) any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court. In addition, a city has the option of posting a specific notice to prohibit a license holder from carrying in the room or rooms where a meeting of a governmental entity is held

and if the meeting is an open meeting subject to the Open Meetings Act. TEX. PENAL CODE § 46.035(c) & (i); § 30.06 & 30.07. (Texas Penal Code § 30.06(c)(3)(A) & 30.07(c)(3)(A) require that the sign giving the notice contain certain language that is printed in a certain size.)

The law also allows a person to receive notice from the owner of the property (i.e., the city) or someone with apparent authority to act for the owner by oral or written communication. TEX. PENAL CODE § 30.06(b) & 30.07(b). In other words, a city employee could ask a license holder who is carrying to leave a meeting, even if the written notice is not posted, if the city council has enacted a prohibition. Another method of providing notice could be a card to hand to attendees or the printing of the Penal Code 30.06 or 30.07 statements on the actual agenda. *Id.* at § 30.06(c)(3)(A) & 30.07(c)(3)(A).

The ignoring of notice by a license holder is a Class C misdemeanor, 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 and subsequently failed to depart. *Id.* at § 30.06(d) & 30.07(d).

City councilmembers or other city officials who hold a handgun license have no special right to carry a handgun into a meeting. However, if a city council does not post notice that license holders are prohibited from carrying their handguns in the meeting room, *any* license holder may do so (unless the building where the meeting room is located also houses a polling place during an election or a city's municipal court and/or and office used by the court).

A “no firearms allowed” or similar sign has no effect on a license holder’s ability to carry a handgun on property in which he is otherwise lawfully present. *Id.* § 30.05(f). But the fact that a person holds a license does not grant him any special right of access to city buildings and facilities that are not open to the general public. In other words, a city can’t deny a license holder from carrying where he is otherwise authorized to be, but a city can prohibit any person who is not a city employee from going into certain areas.

Firearms in General

Yes, so long as the city provides notice that carrying firearms is prohibited in the building. Under Penal Code 30.05(a)(1) & (2), the state’s criminal trespass statute, “[a] person commits an offense if the person enters or remains on or in property of another...without effective consent and the person: had notice that the entry was forbidden...or received notice to depart but failed to do so.”

“Notice” means oral or written communication by the owner or someone with apparent authority to act for the owner. A sign or signs posted on the property or at the entrance to the building, reasonably likely to come to the attention of intruders, indicating that entry is forbidden while carrying a firearm should be sufficient. TEX. PENAL CODE § 30.05(b)(A) & (C). In other words, a sign stating “No Firearms Allowed” should be sufficient.

The penalty under the criminal trespass statute would generally be a Class B misdemeanor. However, it is a Class A misdemeanor if a person carries a deadly weapon during the commission of the offense or is on a “Critical infrastructure facility.” A critical infrastructure

facility means, among other places, if completely enclosed by a fence or other physical barrier that is obviously designed to exclude intruders:

1. an electrical power generating facility, substation, switching station, electrical control center, or electrical transmission or distribution facility;
2. a water intake structure, water treatment facility, wastewater treatment plant, or pump station; or
3. a natural gas transmission compressor station. *Id.* § 30.05. Certain public safety officers and employees of the owner are exempt from this provision. *Id.* § 30.05(e).

What federal law governs a police officer’s authority to question a person who is legally carrying a firearm?

The Fourth Amendment of the U.S. Constitution. That amendment protects “[t]he right of the people to be secure in their persons...against unreasonable searches and seizures.” U.S. CONST., Amend. IV. “The Fourth Amendment does not proscribe all contact between the police and citizens, but is designed ‘to prevent arbitrary and oppressive interference by enforcement officials with the privacy and personal security of individuals.’” *I.N.S. v. Delgado*, 466 U.S. 210, 215 (1984) (quoting *United States v. Martinez–Fuerte*, 428 U.S. 543, 554 (1976)).

Although brief encounters between police and citizens require no objective justification, it is clearly established that an investigatory detention of a citizen by an officer must be supported by reasonable articulable suspicion that the individual is engaged in criminal activity. *Terry v. Ohio*, 392 U.S. 1 (1968); *United States v. Weaver*, 282 F.3d 302, 309 (4th Cir. 1968). And, “where a state permits individuals to openly carry firearms, the exercise of this right, without more, cannot justify an investigatory detention.” *U.S. v. Black*, 707 F.3d 531 (4th Cir. 2013). At least one federal appeals court has stated that “permitting such a justification would eviscerate Fourth Amendment protections for lawfully armed individuals in those states.” *Id.*

City employees should arguably follow the same restrictions. For example, if a person enters a city library or recreation facility with a holstered handgun, the employees should do nothing unless the person causes a disturbance. If that happens, summoning law enforcement is the best course of action. In every case, each law enforcement agency should consult with legal counsel to understand its authority to investigate a person who is openly carrying in Texas.

Can a police officer arrest or disarm a person who is legally carrying a long gun (e.g., a rifle or shotgun) in public?

Not without a reasonable suspicion of other illegal conduct. Because the Texas Constitution allows it, and because the legislature has not prohibited it, carry of a long gun is legal. Of course, state law does provide restrictions to ensure public safety. Penal Code Section 42.01 governs disorderly conduct. It provides that a person commits a Class B misdemeanor offense if he or she intentionally or knowingly “displays a firearm or other deadly weapon in a public place in a manner calculated to alarm.” TEX. PENAL CODE § 42.01(8); *see also* TEX. LOCAL GOV’T CODE § 229.001(7)(d).

If a peace officer encounters a person with a long gun, it is within his or her authority to inquire about the weapon. However, if the person is not holding the weapon at ready, pointing the weapon, brandishing it in a threatening manner, or otherwise using it in a manner calculated to cause alarm, the officer—without more—has limited authority to disarm the person.

Are there specific rules relating to whether a police officer can question or disarm a person who is openly carrying a holstered handgun in public?

Yes. State law gives a peace officer more authority to disarm a license holder who is carrying a handgun than it does for a non-licensed long gun carrier. See TEX. GOV'T CODE § 411.207. If a license holder is carrying a handgun on or about the license holder's person when a peace officer demands that the license holder display identification, the license holder shall display both the license holder's driver's license or identification certificate and the license holder's handgun license. *Id.* at § 411.205.

Moreover, a peace officer who is acting in the lawful discharge of the officer's official duties may disarm a license holder at any time the officer reasonably believes it is necessary for the protection of the license holder, officer, or another individual. The peace officer shall return the handgun to the license holder before discharging the license holder from the scene if the officer determines that the license holder is not a threat to the officer, license holder, or another individual and if the license holder has not violated any law that results in arrest. *Id.* at § 411.207(a).

Can you show in chart form the basic rules for where a private individual can carry a firearm?

Absolutely. This chart does not cover every situation, but rather provides a general overview as to where a private citizen may carry a firearm (i.e., it doesn't list exceptions for peace officers, etc.). It is not meant as legal advice.

Chart: General Overview of Private Texas Citizen Firearm Carry Laws

Activity/Location:	Column1 Allowed?
Any Firearm	
Physical premises of a school or educational insitution (But see licensed campus carry, under "Handgun Concealed Carry," below.)	No, unless pursuant to written regulations or written authorization of the institution
Grounds or building on which an activity sponsored by a school or educational institution is being conducted (But see licensed campus carry, under "Handgun Concealed Carry," below.)	No, unless pursuant to written regulations or written authorization of the institution
Passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private (But see licensed campus carry, under "Handgun Concealed Carry," below.)	No, unless pursuant to written regulations or written authorization of the institution
Premises of a polling place on the day of an election or while early voting is in progress (i.e., "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.)	No
Premises that house court or court offices	No, unless authorized by court rules
Premises of a racetrack	No

Secured area of an airport (i.e., an area of an airport terminal building to which access is controlled by the inspection of persons and property under federal law)

No

Within 1,000 feet of a place of execution on a day that a sentence of death is set to be imposed on the designated premises

No, so long as the person received notice that doing so is prohibited (unless the person is on a public road and going to or from his or her home or business)

Handguns Open Carry (No License)

Person's own premises or premises under the person's control

Yes

Generally anywhere else

No

Handgun Concealed Carry (No License)

In car or water craft

Yes, no license required

Generally anywhere else - no license

No

Handgun Concealed Carry (With License)

In car or water craft

Yes

Generally anywhere else with license

Yes, so long as concealed

On property of another if receives 30.06 notice that not allowed

No, so long as 30.06 sign is properly posted

Government meeting

Yes, unless 30.06 sign posted

Anytime the handgun is not concealed or the license holder is intoxicated

No

Premises of a TABC-licensed business that derives 51 percent from the sale of alcohol

No, sign should be posted

Premises of a high school, collegiate, or professional sporting event (unless sport shooting event)

No, until August 1, 2016. After that, yes, unless 30.06 sign is posted.

Premises of a correctional facility

No

Hospital or nursing home

No, unless written authorization from administrator to license holder

<http://www.courant.com/breaking-news/hc-stag-arms-guilty-plea-federal-court-1223-20151222-story.html>

Stag Arms Pleads Guilty To Violating Federal Firearms Laws; Owner Will Sell Company



Stag Arms president and owner Mark Malkowski will pay a \$100,000 fine and will not be permitted to own, operate or manage a firearms company.

(Michael McAndrews)



David Owens Contact Reporter

Stag Arms pleads guilty to federal firearms charges

HARTFORD — New Britain-based Stag Arms LLC pleaded guilty Tuesday to violating federal firearms laws and as part of a plea agreement president and owner Mark Malkowski agreed to sell the company and have no further ownership or management role in a gun manufacturer.

Malkowski pleaded guilty on behalf of the company in federal court in Hartford to a felony count of possession of machine guns not registered to the company.

The Bureau of Alcohol, Tobacco, Firearms and Explosives is also revoking Stag's federal license to manufacture firearms, although the company can continue to produce firearms while it is pursuing a sale if ATF is satisfied with its efforts to find a new owner. The new owner would have to seek a new license.

Malkowski is scheduled to plead guilty Wednesday in federal court in New Haven to a misdemeanor charge of failure to maintain firearms records. For his guilty plea, Malkowski, 37, will pay a \$100,000 fine and will not be permitted to own, operate or manage a firearms company.

The federal government began its investigation of Stag in July 2014, after a routine ATF compliance inspection turned up a variety of record-keeping violations, missing firearms and unregistered machine guns, the government said.



The guilty plea, Stag said in a prepared statement, was in the best interest of the company and its approximately 100 employees. Malkowski is in advanced talks with a New York private equity firm to sell the company, Stag and the government said.

"For the first time in Connecticut, and there have only been a few of these prosecutions throughout the nation, a large manufacturer is pleading guilty to a felony charge relating to record-keeping violations," Connecticut U.S. Attorney Deirdre M. Daly said Tuesday.

The company will pay a fine of \$500,000 as part of its plea agreement. Sentencing is scheduled for March 15.

"This company did not just manufacture small firearms. They manufactured semi-automatic weapons, machine guns, assault weapons," Daly said. "This is not an industry where sloppiness will be tolerated."

The government said about 200 firearms could not be accounted for at Stag's John Downey Drive facilities. "We don't know where they are, whether they were stolen, whether they're on the streets, or whether they're just in the wrong hands," Daly said.

The company pleaded guilty to possession of 62 machine guns and machine gun receivers that were registered to another entity or not registered at all. ATF agents found the automatic rifles and receivers at the New Britain factory during an inspection July 15, 2014.

Eleven machine guns were registered to an entity in the Philippines, one to a police department and 25 to another manufacturer. The remaining 25 machine gun receivers — the portion of the firearm that houses the operating parts and on which the serial number is engraved — did not have serial numbers, the government said.

Malkowski told U.S. Magistrate Judge Donna F. Martinez during the company's plea hearing that the machine guns in question were to be sold, but the sales agreement fell through. Stag Arms kept the weapons and failed to update records, he told the judge.

In 2007, ATF inspectors found instances of poor record-keeping, administrative violations and regulatory violations, but worked with Stag to bring it into compliance, said Nealy Earl, area head of industry operations for ATF.

The problems found during the 2014 compliance review at Stag Arms were similar or worse than those found in 2007, prompting the recommendation for criminal action, Earl said. Assistant U.S. Attorney S. Dave Vatti described the new violations as "egregious and systemic."

Some of the firearms found at Stag also had obliterated serial numbers, a serious violation of the law, Vatti said. The government has not determined why the serial numbers were scratched out.

Stag, in a statement, said the company "takes its obligations to comply with all laws and regulations very seriously and has made comprehensive changes to ensure that similar problems cannot happen again and that best compliance practices are maintained in all of its operations." The company also said it does not believe public safety was ever compromised.

Malkowski founded Stag in 2003 and the soon company pioneered manufacturing AR-15 rifles for left-handed people and those who use their left eye to aim. The left-handed weapons remain an important product for the company. Stag Arms has sold its rifles to police agencies and militaries around the world, and to law enforcement agencies in the U.S. It also serves the civilian firearms market.

Thomas Jefferson wrote that "A bill of rights is what the people are entitled to against every government on earth, general or particular, and what no just government should refuse."

Thank you,
Paul Curtis
President - CARGO
www.cargogunclub.org

"If you can read this, thank a teacher. For the fact that it is in English, thank a Soldier."

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