

## **BILL ANALYSIS**

Senate Research Center  
87R4374 JSC-F

H.B. 1407  
By: Schaefer et al. (Hughes)  
State Affairs  
4/28/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

It has been noted that individuals with a license to carry a handgun are permitted to carry a handgun on their person when in a motor vehicle, but are subject to prosecution if the handgun is visible in the motor vehicle, but not on their person. H.B. 1407 seeks to close this loophole by allowing a license holder to have a handgun visible in their vehicle, regardless of whether it is on their person, as long as the handgun is in a holster.

H.B. 1407 amends current law relating to the carrying of a handgun by a license holder in a motor vehicle.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 46.035(a), Penal Code, to provide that it is an exception to the application of this subsection (relating to the offense of intentionally displaying a handgun in a public place) that the handgun was partially or wholly visible but was in a holster, and the handgun and the license holder were in a motor vehicle.

SECTION 2. Makes application of this Act prospective to January 1, 2022.

SECTION 3. Effective date: September 1, 2021.