

## **BILL ANALYSIS**

H.B. 1407  
By: Schaefer  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

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 and not on their person. H.B. 1407 seeks to eliminate this discrepancy by allowing license holders to have a handgun visible in their vehicle, regardless of whether the handgun is on their person, as long as the handgun is in a holster.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1407 amends the Penal Code to create an exception to the application of the offense of unlawful carrying of a handgun by a handgun license holder involving the intentional display of the handgun in plain view of another in a public place if the handgun was in a holster while the handgun and license holder were in a motor vehicle. The bill's provisions apply to an offense committed on or after January 1, 2022.

### **EFFECTIVE DATE**

September 1, 2021.