



# City Council Agenda Item Summary Report

**Meeting Date:** September 7, 2021

**Submitted by:** Jon Thatcher, City Attorney

<b>Consent</b>	<b>Public Hearing</b>	<b>Action Item X</b>
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**Item Title:** Discuss and consider an Ordinance amending Article 8.02 of the City of Forney Code of Ordinance by repealing Section 8.02.001 “Carrying Weapon” and consider action on the carrying of handguns in government meetings of the City of Forney, subject to the Texas Open Meetings Act.

**How this item ties-in with the City’s Mission, Vision and Values:**

### Summary Statement

Recently, the Governor signed into law, HB 1927, also known as the Firearms Carry Act of 2021, that allows for the permitless carry of handguns. The bill eliminates the requirement for Texas residents to obtain a license to carry handguns if they’re not prohibited by state or federal law from possessing a gun. The new law does not eliminate the provisions for obtaining a license to carry. However, it is no longer a requisite to obtain a permit in order to carry a handgun.

Due to the provision of penal laws associated with the carrying of a handgun and some revisions to the carrying of other weapons, the City no longer has a need to provide a penalty by local ordinance. The proposed ordinance amends Article 8.02 of the Code of Ordinances to repeal Section 8.02.001, which is the section that prohibits the carry of handguns and other prohibited weapons in the city limits with some exception.

Additionally, the City Council for the City directed the posting of a notice at the doors of a government meeting subject to the Texas Open Meetings Act that prohibited the open carry of a handgun by a license holder. Since an individual is no longer prohibited from open or concealed carry of a handgun, the Council may need to revisit what notices are to be posted at the entrance to any duly-called government meeting for the City of Forney. The City Council has the ability to post a notice under newly amended Section 30.05 of the Texas Penal Code, which prohibits the carry of handguns in any capacity into the location where the meeting is being held.