

By: Gámez

H.B. No. 1138

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of a municipality or county to regulate or  
3 prohibit the carrying of a firearm on the premises of certain  
4 libraries.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 229.001, Local Government Code, is  
7 amended by amending Subsection (b) and adding Subsection (d-2) to  
8 read as follows:

9 (b) Subsection (a) does not affect the authority a  
10 municipality has under another law to:

11 (1) require residents or public employees to be armed  
12 for personal or national defense, law enforcement, or another  
13 lawful purpose;

14 (2) regulate the discharge of firearms or air guns  
15 within the limits of the municipality, other than at a sport  
16 shooting range;

17 (3) except as provided by Subsection (b-1), adopt or  
18 enforce a generally applicable zoning ordinance, land use  
19 regulation, fire code, or business ordinance;

20 (4) regulate the storage or transportation of  
21 explosives to protect public health and safety, except that 25  
22 pounds or less of black powder for each private residence and 50  
23 pounds or less of black powder for each retail dealer are not  
24 subject to regulation;

1           (5) regulate the carrying of an air gun or firearm,  
2 other than a handgun carried by a person not otherwise prohibited by  
3 law from carrying a handgun, at a:

4                   (A) public park;

5                   (B) public meeting of a municipality, county, or  
6 other governmental body;

7                   (C) political rally, parade, or official  
8 political meeting; or

9                   (D) nonfirearms-related school, college, or  
10 professional athletic event;

11           (6) regulate the carrying of a firearm by a person  
12 licensed to carry a handgun under Subchapter H, Chapter 411,  
13 Government Code, in accordance with Section 411.209, Government  
14 Code;

15           (7) regulate the hours of operation of a sport  
16 shooting range, except that the hours of operation may not be more  
17 limited than the least limited hours of operation of any other  
18 business in the municipality other than a business permitted or  
19 licensed to sell or serve alcoholic beverages for on-premises  
20 consumption;

21           (8) regulate the carrying of an air gun by a minor on:

22                   (A) public property; or

23                   (B) private property without consent of the  
24 property owner; ~~or~~

25           (9) except as provided by Subsection (d-1), regulate  
26 or prohibit an employee's carrying or possession of a firearm,  
27 firearm accessory, or ammunition in the course of the employee's

1 official duties; or

2 (10) except as provided by Subsection (d-2), regulate  
3 or prohibit the carrying of a firearm on the premises of a library  
4 established and operated by the municipality.

5 (d-2) Subsection (b)(10) does not authorize a municipality  
6 to regulate or prohibit the carrying of a firearm by a person  
7 described by Section 46.15(a)(1) or (b)(1), Penal Code, or by a  
8 person who is otherwise authorized to carry a firearm under a  
9 license or commission issued under Chapter 1702, Occupations Code.

10 SECTION 2. Section 236.002, Local Government Code, is  
11 amended by amending Subsection (c) and adding Subsection (e-1) to  
12 read as follows:

13 (c) Subsection (a) does not affect the authority of a county  
14 to:

15 (1) require a resident or public employee to be armed  
16 for personal or national defense, law enforcement, or other purpose  
17 under other law;

18 (2) regulate the discharge of firearms or air guns in  
19 accordance with Section 235.022;

20 (3) regulate the carrying of a firearm by a person  
21 licensed to carry a handgun under Subchapter H, Chapter 411,  
22 Government Code, in accordance with Section 411.209, Government  
23 Code;

24 (4) except as provided by Subsection (d), adopt or  
25 enforce a generally applicable land use regulation, fire code, or  
26 business regulation; ~~or~~

27 (5) except as provided by Subsection (e), regulate or

1 prohibit an employee's carrying or possession of a firearm, firearm  
2 accessory, or ammunition in the course of the employee's official  
3 duties; or

4 (6) except as provided by Subsection (e-1), regulate  
5 or prohibit the carrying of a firearm on the premises of a library  
6 established and operated by the county.

7 (e-1) Subsection (c)(6) does not authorize a county to  
8 regulate or prohibit the carrying of a firearm by a person described  
9 by Section 46.15(a)(1) or (b)(1), Penal Code, or by a person who is  
10 otherwise authorized to carry a firearm under a license or  
11 commission issued under Chapter 1702, Occupations Code.

12 SECTION 3. This Act takes effect September 1, 2025.