



HB 375 by Stickland
Homeland Security and Public Safety
3/28/17

Good morning. My name is Andrea Brauer. I am Executive Director of Texas Gun Sense (TGS), and I am testifying against HB 375.

TGS is a statewide nonprofit and nonpartisan organization advocating for common sense, evidence-based policies to reduce gun injuries and deaths. We are not an anti-gun group, and we respect the Second Amendment. We also believe that more must be done to keep high-risk individuals and children from accessing firearms and reduce the number of lives lost to gun violence. Our goal is to find common ground on this issue.

39 states require a state-issued permit in order to carry a concealed weapon in public. No large state with a major metro area like Houston and the Dallas-Fort Worth Metroplex allows residents to carry handguns with no background check, training, or knowledge of the law. Yet HB 375 seeks to remove basic protections and oversight designed to keep guns out of the wrong hands.

A minimum level of training is consistent with the "well regulated" environment referred to in the Second Amendment. The courts have upheld a great variety of laws regulating gun ownership and the carrying of weapons, and Texas has a 20-year history of successful implementation of its permit program.

Proponents' main argument for this bill is that they shouldn't have to be required to get a permit for a God-given right. TGS does not know God's position on this. Proponents do not argue that unlicensed carry is good public policy or would improve public safety. They do argue that the current situation is inconvenient. Gun owners that value their rights, but also worry about accidents, impulsive behavior, and the safety of children know that what is falsely called "Constitutional Carry" is unwise. Knowledge of how to handle a gun and of the law and background checks on applicants for a permit are in the best interest of both public safety and the gun owner.

The gun industry and lobby touts itself as a voice for responsible gun ownership and training. The National Rifle Association on its website states, "At the NRA, firearm training and education is paramount." And the standards of licensure and the safety records of license holders have been used by members of the Legislature and gun rights advocates to make the case for the dramatic easing of gun safety restrictions over the last few sessions.

If the licensure becomes optional, collection of any data and conviction reports for Texas gun owners will be meaningless. Passing this bill would be the equivalent of the state saying "We've been wrong since 1995. Background checks and training are actually not important for carrying handguns in public." The 3,000 applicants or licensees DPS denied, revoked or suspended in 2015 would then be able to carry in public.

For these reasons, many law enforcement organizations are opposed to making the license to carry optional. HB 375 actually has language that prohibits law enforcement from even asking someone openly carrying a question, making their jobs more difficult, and putting the public at greater risk.

The governor of Montana in deciding to veto a similar proposal stated, "While I will fiercely defend the Second Amendment rights of our citizens, I cannot support an absurd concept that threatens the safety of our communities by not providing for the basic fundamentals of gun safety or mental health screening."

This legislation does not address any problem within current law, but rather creates new challenges and threatens public safety.

The bill also has fiscal implications. Optional licensure would hurt small businesses because it would lead to firearms trainers having far fewer customers, and may even lead to businesses closing doors.

Additionally, the Legislature is already entertaining a proposal that would reduce licensing fees and cost the state \$20 million. Eliminating the licensing requirement entirely could cost the state up to \$50 million dollars. In this budget climate, Texans shouldn't have to shoulder that burden.

Thank you for your time and this opportunity to speak. I hope you will vote no on this bill and keep important public safety measures in place. I welcome your questions.

Sincerely,

Andrea Brauer

Executive Director, Texas Gun Sense