



Written by [Patrick Krey](#) on June 18, 2021

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Exercising the Right

Constitutional Carry Comes to the Lone Star State

The *New York Times* reported on May 25 that Texas will be the most recent state to enact permitless carry for handguns, commonly referred to as “constitutional carry.” This makes Texas the latest and largest state to adopt constitutional carry, which is popular among Second Amendment advocates across the country. Texas joins 20 other states with similar laws. Texas Governor Greg Abbott hailed the legislation as “the strongest Second Amendment legislation in Texas history.”

Republican Senator Charles Schwertner, the sponsor of the bill, explained that constitutional carry was meant to “protect the right of law-abiding Texans to carry a handgun as they exercise their God-given right to self-defense and the defense of their families.”

Mike Cox, former head of the Republican Party in Hays County and former legislative director of the Texas State Rifle Association, dismissed concerns that the new law would lead to an increase in gun violence. “I think there will be a lot less of an effect than everyone is predicting... When we passed open carry they said, ‘Oh my gosh, you will turn Texas into Dodge City,’” Cox laughingly told the *New York Times*.

Republican U.S. Senator Ted Cruz also celebrated the new law and wrote on Twitter, “I applaud Texas legislators for passing this landmark legislation to make constitutional carry a reality and to protect the right of law-abiding citizens.”

Bill Piatt, a law professor at St. Mary’s University, told [Ken5.com](#) that there are still restrictions in place regarding the new law. Professor Piatt explained that the new law still doesn’t allow felons, domestic violence offenders, or people with mental-health issues to carry, and it also keeps in place existing restrictions on where firearms can and cannot be carried in the state. “Even with this new law, it doesn’t mean anybody can carry any gun anywhere anytime... You still will not be able to bring handguns into government buildings, schools, polling places, hospitals, among other places and importantly, private businesses can still ban weapons on their premises,” Piatt said.

Florida Moves Against Local Gun Control

In more good news involving pro-Second Amendment changes to laws, [ClickOrlando.com](#) reported that Florida Governor Ron DeSantis signed a bill on May 7 that expanded a law that was originally passed back in 1987, which prohibited local municipalities from passing gun-control laws that are stricter than state-level laws. The new bill will take effect on July 1, and adds new requirements that make local governments pay as much as \$100,000 in damages if they get sued for passing gun control.

Florida State Representative Cord Byrd sponsored the legislation, and said during a floor debate that the bill will send a message to local governments. “I brought this forward so that local governments will once and for all stop violating the rights and stop wasting taxpayer money,” Byrd said.

The 1987 law was amended in 2011 to include the punitive requirement that local governments may have to pay up to \$100,000 in damages and legal fees if they violate the law. The 2011 amendment even included personal fines and potential removal from office for local officials. The new changes signed by Governor DeSantis expand the 2011 provisions to apply to local policies that effectively violate the gun-



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regulation prohibition, even if a policy didn't explicitly violate the gun-regulation prohibition. This was explained by advocates to apply to a law-enforcement agency giving verbal direction that restricts gun rights. It also expanded the damages and attorney-fees requirement to apply to policy changes after lawsuits are filed. This last change is directed toward a municipality defending against a lawsuit by claiming the lawsuit is moot because the municipality changed the offending law prior to the resolution of the lawsuit. This prevents municipalities from passing restrictive gun laws and then just backing down when there's litigation. These legal changes give Second Amendment supporters hope that there are still states in this union where gun rights are respected.

Public Becoming More Supportive of Second Amendment

The Citizens Committee for the Right to Keep and Bear Arms (CCRKBA) cited a new poll by *Washington Post-ABC News* that found a dip in support for gun control and an almost proportional increase in support for gun rights. [Ammoland.com](#) reported on April 30 that CCRKBA chairman Alan Gottlieb claimed that the change in views might be due to the tireless efforts of Second Amendment advocates. "This public awakening to the importance of protecting the right to own a firearm may be largely due to the energetic advertising campaigns we, and our sister organization, the Second Amendment Foundation, have been conducting over the past three months.... We have reached scores of millions of Americans with more than 1,000 TV spots, and at least 9 million more people through digital advertising, and tens of millions more via email and text messaging," Gottlieb explained.

The *Washington Post-ABC News* survey found a nine-percent rise for support for Second Amendment protections and a seven-percent decline for new gun-control laws. Gottlieb explained, "It may have come as a surprise to the *Washington Post* and ABC News to see increasing support for gun rights but it appears our public education effort is working. We've been warning Americans about the serious threats from the Biden-Harris administration and Capitol Hill anti-gunners against their constitutional rights, and the people have listened.... These surveys show Americans are getting wise to failures of gun control and the importance of gun ownership at a time when the far Left wants to defund and disband police agencies, and the Biden-Harris administration wants to ban guns and erode the Second Amendment.... We're standing in their way."



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