

**RESOLUTION NO. 2024-260**

**A RESOLUTION OF THE CITY OF HILSHIRE VILLAGE, TEXAS,  
PROHIBITING THE CARRYING OF A HANDGUN INTO THE  
ROOM OR ROOMS IN WHICH ANY MEETING OF THE CITY  
COUNCIL OR ANY OTHER CITY BOARD OR COMMISSION THAT  
IS SUBJECT TO CHAPTER 551, TEXAS GOVERNMENT CODE  
(OPEN MEETINGS ACT) IS MEETING**

**WHEREAS**, Texas Penal Code Section 46.035(c) makes it an offense for a handgun license holder to intentionally, knowingly, or recklessly carry a handgun under the authority of Subchapter H, Chapter 411, Government Code (Handgun Licensing Law), regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code (Open Meetings Act), and the entity provides notice as required by that chapter; and

**WHEREAS**, Texas Penal Code Section 46.035(i) provides that the prohibition in Section 46.035(c) does not apply unless the license holder is given effective notice under Penal Code Sections 30.06 and 30.07; and

**WHEREAS**, Texas Penal Code Section 30.06 requires that signage created in accordance with that section be “displayed in a conspicuous manner clearly visible to the public”; and

**WHEREAS**, Section 30.07 adds language that requires that signage be “displayed in a conspicuous manner clearly visible to the public *at each entrance to the property*”; and

**WHEREAS**, the best interpretation of that conflicting language is to display the signage at the entrance to the meeting room; and

**WHEREAS**, it may be difficult for a license holder, without notice provided by signage, to definitively know where he or she can lawfully carry a handgun; and

**WHEREAS**, the city council of the City of Hilshire Village finds that the most appropriate way to protect the attendees of meetings of the city council or any other board or commission that is subject to Chapter 551, Texas Government Code (Open Meetings Act) is to prohibit the carrying of a handgun by a license holder in those meetings.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Hilshire Village, Texas, that:

1. Pursuant to Section 46.035(c), Texas Penal Code, the concealed or open carry of any firearm by a person licensed under Chapter 411, Subchapter H (Handgun Licensing Law), into the room or rooms in which any meeting of the city council or any other board or commission that is subject to Chapter 551, Texas Government Code (Open Meetings Act) is prohibited.

2. Pursuant to Section 46.035(i), Texas Penal Code, city staff is directed to prepare signage in accordance with Texas Penal Code Sections 30.06 and 30.07.

3. City staff is directed to post such signage outside the door to the room or rooms in which any meeting of the city council or any other board or commission that is subject to Chapter 551, Texas Government Code (Open Meetings Act) is taking place prior to the meeting, and to remove the signage upon the conclusion of the meeting.

**PASSED AND ADOPTED** this 21<sup>st</sup> day of May, 2024.

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Robert F. Buesinger, Mayor

ATTEST:

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Cassie Stephens, City Secretary



APPROVED AS TO FORM:

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Paige L. Bailey, City Attorney