

## PLANO CITY COUNCIL

**WILL CONVENE INTO EXECUTIVE SESSION IMMEDIATELY FOLLOWING THE 5:00 P.M. WORK SESSION ON JANUARY 11, 2016, FOLLOWED BY THE PRELIMINARY OPEN MEETING IN THE PLANO MUNICIPAL CENTER, 1520 K AVENUE, IN COMPLIANCE WITH VERNON'S TEXAS CODES ANNOTATED, GOVERNMENT CODE CHAPTER 551 (OPEN MEETINGS ACT), AS FOLLOWS:**

**Mission Statement: The City of Plano is a regional and national leader, providing outstanding services and facilities through cooperative efforts that engage our citizens and that contribute to the quality of life in our community.**

### EXECUTIVE SESSION

- |      |  |                |         |
|------|--|----------------|---------|
| I.   | Legal Advice<br>a) Respond to questions and receive legal advice on agenda items   | Mims           | 10 min  |
| II.  | Economic Development<br>Discuss a financial offer or other incentive to a business prospect to locate, stay, or expand in Plano and consider any commercial and financial information from the business prospect | Glasscock/Bane | 10 min. |
| III. | Real Estate:<br>a) Downtown Plano  | Turner         | 10 min. |

### PRELIMINARY OPEN MEETING

- |      |  |                  |         |
|------|--|------------------|---------|
| I.   | Consideration and action resulting from Executive Session discussion | Council          | 5 min.  |
| II.  | Open Carry Briefing  | Israelson/Howard | 15 min. |
| III. | Consent and Regular Agendas  | Council          | 5 min.  |
| IV.  | Council items for discussion/action on future agendas                | Council          | 5 min.  |

**In accordance with the provisions of the Open Meetings Act, during Preliminary Open Meetings, agenda items will be discussed and votes may be taken where appropriate.**

***Plano Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.***

# Open Carry Update

A photograph of the Texas State Capitol building in Austin, Texas. The building is a large, classical-style structure with a prominent central dome and a portico with columns. The sky is blue with scattered white clouds. In the foreground, there is a green lawn and a paved road. A Texas state flag is visible on a pole near the building.

Curtis Howard,  
Sr. Legal Advisor  
Plano Police Department

# Open Carry Legislation (HB 910)

- This bill eliminates the distinction between concealed and open carry and creates a general “license to carry” a handgun (LTC).
- It changes the punishment scheme for license holders unlawfully carrying concealed under § 30.06 and applies it to persons carrying openly under § 30.07.
  - A violation is a Class C misdemeanor.
  - But if the license holder is given oral notice of the prohibition a fails to leave, the offense is enhanced to a Class A.
- It requires instructors to include training on the “use of restraint holsters and methods to ensure the secure carrying of openly carried handguns.”
- This law went into effect on January 1, 2016

# Places where Unlicensed Carrying of Firearms is Allowed

Place or Activity	Exceptions
Own premises	None
Personal vehicle or watercraft	Can't be in plain view
Public Place (long guns)	Possible disorderly conduct offense or if some type of "no firearms" sign is present

# Places where Licensed Open or Concealed Carry is Allowed

Place or Activity	Exceptions
Own premises	None
Personal vehicle or watercraft	None
Generally in public areas	As long as the handgun is holstered or concealed and there are no specific prohibitions
Premises of employment	Unless restricted by employer (does not apply to vehicle in a parking lot)

# Places Prohibiting Firearms

Place or Activity	Exceptions
Physical premises of a school/education institution, grounds or buildings where activity is sponsored, or in a transportation vehicle	Written authorization from administration
Polling place (early voting & day of election)	None
Premises of court or court offices	Authorization by the judge
Premises of a racetrack	None
Secured area of an airport	None but CHL holders get a do-over
Within 1000 ft. of an execution	None unless person is traveling on roadway

# Prohibition on Concealed/Open Carry

Place or Activity	Exceptions
On private property if 30.06 or 30.07 notice is posted	If 30.06 or 30.07 notice is deficient
Governmental meeting room if 30.06 or 30.07 notice is posted	If 30.06 or 30.07 notice is deficient
Premises of TABC-licensed business (51%)	None but 51% sign needs to be posted
If license holder is intoxicated	None
Premises where a high school, collegiate, or professional sporting event is taking place	If event involves a shooting sport
Premises of a correctional facility	None
Hospital or nursing home with 30.06 or 30.07 sign posted	Written authorization from administration
Amusement park with 30.06 or 30.07 sign posted	If 30.06 or 30.07 notice is deficient

# Open Carry Notice Requirements (HB 910)

- It allows for entities to provide notice to prohibit concealed carry, open carry, or both by:
  - telling a person that he cannot carry a weapon on the property;
  - providing a “card or other document” that contains the language *identical* to the code; or
  - posting a sign displayed in a conspicuous manner to the public at each entrance to the property.
- If a sign is posted, it must:
  - contain language that is *identical* to the code;
  - be in both English and Spanish;
  - appear in contrasting colors with block letters at least one inch in height; and
  - be posted in a conspicuous place at each entrance.

## § 30.06 & § 30.07 Language

- "Pursuant to Section 30.06, Penal Code (trespass by license holder with [~~of license to carry~~] a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (~~[concealed]~~ handgun licensing law), may not enter this property with a concealed handgun";
- "Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly"

# Wrongful Exclusion of CHL Holders (SB 273)

- § 411.209 of the Govt. Code prohibits a state or local agency from posting any signs prohibiting the carrying a concealed weapon on the premises or other place owned or leased by the agency unless prohibited under § 46.03 or § 46.035.
- Violations may incur penalties of:
  - \$1,000 - \$1,500 per day for the first violation or
  - \$10,000 - \$15,000 per day for the second violation.
- The Attorney General will investigate violations if needed.

# **The End**

**Curtis Howard**

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## 2016 - Discussion/Action Items for Future Council Agendas

**January 18 – Martin Luther King Day**

***January 20-22 – US Conference of Mayors – Washington, DC***

***January 22 – Neighborhood Leadership Council–7:30 am***

### **January 25**

- Comprehensive Monthly Financial Report – December 2015
- Zoning Case 2015-26 - rezone .2 acres on 12<sup>th</sup> Street from Light Industrial -1 to Single-Family Residence-6.

### **January 28**

- Joint City Council and Plano ISD School Board meeting – Sockwell Center

### **February 8**

***February 9 – State of the City – 6:00 p.m.***

***February 18-20 – TML Elected Officials Conference – Bastrop, TX***

### **February 22**

***March 5-9 – National League of Cities, Washington, D.C.***

***March 7-11 – PISD Spring Break***

### **March 14**

***March 18 – Neighborhood Leadership Council–7:30 am***

***March 25 – TEDx Plano – 4:00 p.m., Courtyard Theater***

**March 28**

- Presentation of the FY2015-16 Status Report and Three-Year Financial Forecast
- DART Report

**April 11**

***April 8 – Police Annual Awards Banquet – 6:00 p.m.***

***April 14 – Plano Fire-Rescue Awards Ceremony – 6:00 p.m., Courtyard Theater***

***April 23 – Love Where You Live***

**April 25**

- Comprehensive Monthly Financial Report – March 2016

***April 28– Town Hall Meeting – Municipal Center – 7-8 pm***

**May 9**

***May 14 – Plano Fire-Rescue Appreciation Picnic – Noon, Heritage Farmstead***

***May 17– Plano Police Memorial Service – 10:00 am***

**May 23**

**May 30 – Memorial Day**