



Legislative UPDATE

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Number 2

Licensed Handgun Carry and Buildings that House Municipal Courts and Court Offices

In the wake of [two confusing attorney general opinions](#) related to licensed handgun carry, court facilities, and signage, some local governments are calling foul. For example, the Texas District and County Attorneys Association and the Texas Conference of Urban Counties have both questioned the conclusions of the attorney general's office. The gist of the issue is whether the entire building that houses a court or offices utilized by a court is off-limits to a license holder, or whether the prohibition applies only to the rooms or portion of the building used by the court.

Whether a city official agrees or disagrees with the conclusions in the opinions, it seems safe to say that many are having trouble deciding how to deal with them. The CUC's [advice](#) to its county members is that the opinions are:

not consistent with the plain language found in Texas statutes, nor the very clear evidence of legislative intent...[t]he question of whether "premises of a court" means only a courtroom should be a question of law to be decided by the trial judge in the first instance, subject to appeal. Interestingly, as of this writing, the judges of the Texas Supreme Court and the Texas Court of Criminal Appeals have not permitted any weapons to be brought into the Supreme Court building.

TDCAA's [advice](#) is slightly more tempered, but comes to a similar conclusion. Again, regardless of one's opinion on where guns should be allowed, it's tough to properly interpret the courts prohibition. In fact, the attorney general's opinions actually shift the risk of compliance onto the license holder to know where he or she can carry.

One possible option a city could use to address the confusion is to adopt a [resolution](#) making findings as to which of its room(s), portion(s) of building(s), or buildings are off-limits based on the court exception. No city should do so without first consulting with local legal counsel.

The League has prepared a [Q&A](#) on cities and firearms that provides the most current information available.

Texas Water Development Board Announcement: **SWIFT Funding Cycle Open**

The application period for the 2016 funding cycle of the State Water Implementation Fund for Texas (SWIFT) program is now open. The preliminary, two-page application may be submitted via the Texas Water Development Board's (TWDB) new [online application](#) or by [paper-copy](#) until February 5, 2016.

For the 2016 funding cycle, the TWDB anticipates being able to accommodate approximately \$1 billion in financial assistance, with approximately \$650 million available for new applications. (Projects must be listed in the approved 2016 Regional Water Plans and the subsequent 2017 State Water Plan to be eligible for SWIFT program financial assistance.)

For more details on how to apply for the SWIFT program, please visit the [TWDB website](#).

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