



LEGAL DEFENSE  
FOR  
SELF DEFENSE

# TEXAS GUN OWNERS:

## HOW TO GET YOUR LICENSE TO CARRY



UPDATED MAY 2020



# CONSIDERING APPLYING FOR YOUR TEXAS LTC?

At U.S. LawShield®, **we firmly believe the right to carry a firearm is essential to your personal safety**, and a freedom granted to you under the U.S. Constitution.

The Texas License to Carry (“LTC”) is one of the most important components of your self-defense arsenal, and the key to legally carrying in most public spaces in the state. Although the Texas LTC course was created only 25 years ago, *there are over 1,400,000 LTC holders in the state today*.<sup>\*</sup> Not only that, but since then, the rate of violent crime has gone down and safe gun usage has increased.

With all the legalities surrounding the application process, the road to carrying legally in Texas can be difficult if you don’t know where to start, and staying educated on ever-changing laws can be difficult.

That’s why we’ve made it simple, with this easy-to-follow road-map to acquiring your Texas LTC. From eligibility to the application process, frequently asked questions, license renewal, and so much more, U.S. LawShield is giving you the definitive guide you need if you’re considering applying for your Texas LTC.

<sup>\*</sup> Source: [dps.texas.gov](https://dps.texas.gov)

# TEXAS LTC AT A GLANCE...

## 1. Who is Eligible?

- 21+ years old (18+ if military)
- Legal Texas resident
- No felony convictions, domestic violence convictions, or Class A or B misdemeanor convictions in the previous five years
- Not dependent on drugs or alcohol
- Mentally competent
- Not delinquent in government payments (taxes, child support, etc.)
- Not under a restraining order



## 2. Required Instruction

- Classroom or online course
- Laws related to weapons and use of deadly force
- Safe gun handling
- Non-violent dispute resolution
- Safe gun storage
- Range proficiency



## 3. How to Apply

- Online or mail-in
- Pay \$40 fee (unless excepted)
- Certificate of course completion
- Certificate of handgun proficiency
- Valid photo ID and fingerprint card
- Pass background check



# STEP 1: ELIGIBILITY



## Who is eligible?

- 21+ years old (18+ if military)
- Legal Texas resident
- No felony convictions, domestic violence convictions, or Class A or B misdemeanor convictions in the previous five years
- Not dependent on drugs or alcohol
- Mentally competent
- Not delinquent in government payments (taxes, child support, etc.)
- Not under a restraining order

Texas law requires a person to either have a Texas License to Carry a Handgun (“LTC”) or a recognized out-of-state carry permit to legally carry a handgun in public places, either concealed or openly (in a shoulder or belt holster only) on their person.

The Texas Department of Public Safety (“DPS”) Handgun Licensing Division is the authority that controls the issuance, suspensions, and denials of Texas LTCs.

***Applicants are not required to purchase or own a handgun to be eligible for an LTC.***

However, there is a shooting portion of the LTC course, and applicants should take steps to ensure they have a handgun they are comfortable with for this test. Once an LTC is obtained, generally any lawfully possessed handgun may be carried in a public place pursuant to the license, unless otherwise prohibited.

Typically, an individual must be 21 years of age to qualify for an LTC. However, if an individual is an active or honorably discharged member of the military, they can obtain an LTC at 18 years of age. **Texas Government Code § 411.172(2).**

# ELIGIBILITY REQUIREMENTS

**Before prospective LTC applicants begin their journey, they should review [Texas Government Code § 411.172](#), which controls the eligibility requirements. Each applicant must:**

- 1) be a legal resident of the State of Texas for at least six months prior to an application for an LTC;
- 2) be at least 21 years of age, or 18 if the person is an active or honorably discharged member of the United States armed forces;
- 3) not have been convicted of a felony;
- 4) not be charged with a Class A or B misdemeanor or convicted of one within the five years preceding an application for an LTC;
- 5) not be charged with the crime of Disorderly Conduct as outlined in [Section 42.01 of the Texas Penal Code](#), or be convicted of Disorderly Conduct within the five years preceding an application for an LTC;
- 6) not be a fugitive from justice for any felony, Class A or B misdemeanor, or any equivalent offense;
- 7) not be a chemically dependent person;
- 8) not be incapable of exercising sound judgment with respect to the proper use and storage of a handgun;
- 9) be fully qualified under federal and state law to purchase a handgun;
- 10) not have been finally determined by a court to be delinquent in making child support payments;
- 11) not have been finally determined by a court to be delinquent in the payment of state taxes;
- 12) not be currently restricted under a court protective order or subject to a restraining order affecting the spousal relationship, other than a restraining order solely affecting property interests;
- 13) not have been adjudicated as a juvenile delinquent for a felony-level offense within the ten years preceding an application; and
- 14) not make any material misrepresentation, and must not fail to disclose any material fact in the application.



# ELIGIBILITY REQUIREMENTS



Qualifying applicants must complete a DPS-approved LTC course either online or in person, take an in-person shooting test with a licensed instructor and obtain documents from them, and begin the application either online or via mail. Applicants must also submit to fingerprinting and a criminal background check, coordinated through DPS.

Applying online or via mail is a personal preference. However, we recommend applying online at <http://txapps.texas.gov/txapp/txdps/ltc/>. It is easier to track the progress of the LTC application this way.

There is a \$40 fee for a standard LTC application, per **Texas Government Code § 411.174(6)**. However, there are special

discounts for current and retired law enforcement officers and members of the military.

Per **Texas Government Code §§ 411.1953; 411.1951; 411.1992; 411.201**, the fee is only \$25 if an individual falls within one of the following categories:

- Juvenile Probation Officer;
- Supervision Officer;
- Honorably Discharged Veteran;
- Former Reserve Law Enforcement Officer;
- Active Judge; or
- Retired Judge.

There is no fee for the application if an individual is:

- Active Military;
- An Active Texas Military Member;
- An Active or Honorably Retired Texas Peace Officer;
- An Active or Retired Railroad Peace Officer;
- An Active or Retired Special Ranger of the Texas and Southwestern Cattle Raisers Association;
- A Correctional Officer currently employed by the Texas Department of Criminal Justice;
- A County Jailer;
- A Retired Federal Officer; or
- A Felony Prosecutor.

**Texas Government Code §§ 411.1951; 411.1991; 411.1994; 411.1993; 411.199; 411.201; 411.199.**

These fee waivers require documentation submitted at the time of application showing the above-listed qualification.

# STEP 2: THE INSTRUCTION PROCESS



## Required Instruction

- Classroom or online course
- Laws related to weapons and use of deadly force
- Safe gun handling
- Non-violent dispute resolution
- Safe gun storage
- Range proficiency\*

The handgun proficiency course is divided into two parts: (1) the “classroom” instruction and (2) the range instruction. The classroom portion may be conducted online or in a classroom but **must** be conducted by a qualified Texas LTC handgun instructor or an approved online course provider, as approved by the Texas DPS.

The course must include four to six hours of instruction on:

- 1) The laws that relate to weapons and to the use of deadly force;
- 2) Handgun use and safety, including use of restraint holsters and methods to ensure the secure carrying of openly carried handguns;

- 3) Nonviolent dispute resolution; and
- 4) Proper storage practices for handguns, with an emphasis on storage practices that eliminate the possibility of accidental injury to a child.

At the range portion of the instruction, the applicant must physically demonstrate proficiency in the use of one or more handguns and in handgun safety procedures. This includes a 50-round course of fire test, conducted by a licensed instructor.

**\*An applicant who chooses to complete the classroom portion of the course online must complete one to two hours of range instruction.**

# STEP 3: THE APPLICATION PROCESS

## How to Apply

- Online or mail-in
- Pay \$40 fee (unless excepted)
- Certificate of course completion
- Certificate of handgun proficiency
- Valid photo ID and fingerprint card
- Pass background check



### A complete LTC application contains the following:

- 1) Classroom certificate (LTC-8) or (LTC-9) if completed online;
- 2) Sworn statement of handgun proficiency (LTC-83);
- 3) Application (LTC-78A);
- 4) Passport photo (if the applicant does not have a Texas Driver's License (LTC-6));
- 5) Fingerprint cards;
- 6) Knowledge of laws and eligibility affidavit (LTC-86);
- 7) Authorization for release of records (LTC-85); and
- 8) Cashier's check, money order, personal check, or online payment of appropriate fee amount.

Special circumstances may require additional documentation (e.g. applying as a law enforcement officer, active duty military, judge, felony prosecutor, etc.).

The DPS also runs a background check on applicants and typically requires a fee for the application. This background check is a search of the National Crime Information Center database and the Interstate Identification Index maintained by the Federal Bureau of Investigation.

Finally, DPS will print and send the license to the successful applicant.



# FREQUENTLY ASKED QUESTIONS

## HOW OFTEN DO I HAVE TO RENEW MY LTC?

Initial LTCs are valid for at least four years. Renewal LTCs are valid for five years. **The expiration date of an LTC is printed on the LTC.** Texas Government Code § 411.183.

## WHAT ARE COMMON REASONS A PERSON CAN LOSE THEIR LICENSE?

Under Texas Government Code § 411.187, a person's LTC may be suspended if they are charged with a disqualifying offense, such as Class A or B misdemeanor, a crime of disorderly conduct, or a felony by information or indictment. A person may also have their LTC suspended for failing to notify DPS of a change of name, address, or special status as an LTC instructor, judge, spouse of a judge, or a prosecutor. *A suspension is only temporary* and may be reinstated without submitting a new application once the suspension is lifted.

If a license holder is convicted of a Class A or B misdemeanor, disorderly conduct, or felony, their license will be revoked. The license holder will then be unable to apply for another license for *an additional*

*two years* from the date they become eligible again. Texas Government Code § 411.186.

However, convicted felons, those convicted of misdemeanor crimes of domestic violence, and those who enter into a deferred adjudication community supervision for certain felonies (under Title 5 of the Texas Penal Code; Chapter 29 of the Texas Penal Code; Sections 25.07 or 25.072 of the Texas Penal Code; or Section 30.02(c)(2) or (d)) are **permanently ineligible from obtaining an LTC.** Texas Government Code § 411.1711.

Those who have received felony deferred adjudication community supervision for criminal offenses not listed above may be eligible to apply for and possess a Texas LTC after ten years from the date of their deferred adjudication order.

An LTC may also be revoked if a person fails to pay child support, fails to pay property taxes, becomes chemically dependent, or becomes a prohibited person due to a restraining or protective order. Texas Government Code § 411.172.

LTC revocations and suspensions may be appealed.

# FREQUENTLY ASKED QUESTIONS

## WHAT ARE COMMON REASONS A PERSON IS DENIED AN LTC?

The most common reason for denial is failure of the criminal background check. Just because you are eligible to purchase a firearm *does not* mean you are eligible for an LTC. Applicants are also frequently denied for failing to disclose their criminal history on the application, *even if that criminal history is not otherwise disqualifying*. It is imperative that applicants pay close attention to the eligibility requirements before submitting an application. Denials are appealable within 30 days. Appeal hearings are contested and heard by the Justice of the Peace courts.

## CAN I CARRY WHILE MY APPLICATION IS PENDING?

Under [Texas Penal Code § 46.15](#), persons are only exempt from the charge of “Unlawful Carrying Weapons” when they have the physical license on their person. Applicants awaiting their LTC cannot carry a weapon until the license arrives in the mail, and must physically possess the license at the time they are carrying. (See page 10 for an explanation of where persons may possess a handgun without an LTC.)



# WHERE CAN I LEGALLY CARRY A HANDGUN IN TEXAS?

Having an LTC on your person greatly expands your carry rights. Without an LTC, a person may only carry a handgun on a premises under their control or in their motor vehicle or watercraft. NOTE: Even if you have been issued your LTC, you must carry the license on your person in order to legally carry outside of the places below.

LOCATION	WITH LTC		WITHOUT LTC	
	CONCEALED	OPEN	CONCEALED	OPEN
 Owner's premises; or premises under a person's control.	✓	✓	✓	✓
 Owner's motor vehicle or watercraft; or motor vehicle or watercraft under a person's control.	✓	✓*	✓	✗
 Public places (not licensed to sell alcohol) that do not have a posted TPC 30.06 sign prohibiting concealed carry, or a posted TPC 30.07 sign prohibiting open carry.	✓	✓*	✗	✗
 Established place of religious worship, including churches and synagogues, that do not have a posted TPC 30.06 sign prohibiting concealed carry, or a posted TPC 30.07 sign prohibiting open carry.	✓	✓*	✗	✗
 Grocery store or convenience store that sells alcohol or liquor store.	✓	✓*	✗	✗
 A business receiving 51% or more of its income from serving alcohol for consumption on premises.	✗	✗	✗	✗
 On another person's property without consent, where there is a TPC 30.06 or TPC 30.07 sign prohibiting handguns (or a TPC 30.05 "No Trespassing" sign) posted.	✗	✗	✗	✗
 Elementary or secondary school premises (not including parking lots, sidewalks and walkways outside of buildings) or school-sponsored events without written authorization.	✗	✗	✗	✗
 Premises of an institution of higher education where a TPC 30.06 sign is not posted.	✓	✗	✗	✗
 Polling place on election day, including during early voting.	✗	✗	✗	✗
 The premises or office of a court, without permission.	✗	✗	✗	✗
 Secure area of an airport (inside the metal detectors).	✗	✗	✗	✗
 Correctional or civil commitment facility.	✗	✗	✗	✗
 Hospital or nursing home, amusement park, or meeting of a governmental entity where a TPC 30.06 sign prohibiting concealed carry, or TPC 30.07 sign prohibiting open carry is not posted.	✓	✓*	✗	✗
 Premises of a pari-mutuel race track: horse or dog racing.	✗	✗	✗	✗
 Professional sporting event.	✗	✗	✗	✗
 National park (outside buildings and facilities), state park, and state forest.	✓	✓*	✗	✗
 U.S. Post Office, V.A. Hospital, or other place not permitted by federal law, including parking lots and sidewalks.	✗	✗	✗	✗
 Employee parking lots.	Generally YES, however, some employers are lawfully allowed to exclude all firearms. See Texas Labor Code §52.061-.062 for details. (e.g., secured petrochemical plants, etc.).			

\* Partially or wholly visible handgun must be carried in a shoulder or belt holster.





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