

# Judge blocks Texas law that bans adults under 21 from carrying handguns

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By Josh Baskin

August 28, 2022



On Thursday, a federal judge in Texas blocked a state law which would prohibit adults under 21 from carrying handguns. Judge Mark T. Pittman stated in his ruling that the age limit would breach the Second Amendment as the US constitution didn't stipulate an age for bearing arms.

“The issue is whether prohibiting law-abiding 18-to-20-year-olds from carrying a handgun in public for self-defense is consistent with this Nation’s historical tradition of firearm regulation,” Pittman wrote. “Based on the Second Amendment’s text, as informed by Founding-Era history and tradition, the Court concludes that the Second Amendment protects against this prohibition.”

“To start, the Second Amendment does not mention any sort of age restriction,” he wrote. “This absence is notable—when the Framers meant to impose age restrictions, they did so expressly.”

The Firearms Police Coalition along with two plaintiffs, who are 18 and 20 years old filed the lawsuit against the state law. Neither plaintiff has been named.

Cody Wisniewski, an attorney who represents Firearms Policy Coalition, praised Pittman's decision by saying "Texas cannot point to a single Founding Era law that prohibited 18-to20-year-olds from carrying a functional firearm for self-defense, because not only did no such law exist, but those individuals are an important reason why we have a Bill of Rights in the first place."

"This decision is a significant victory for the rights of young adults in Texas," Wisniewski said, adding, "and demonstrates for the rest of the nation that similar bans cannot withstand constitutional challenges grounded in history."

A similar verdict was passed in June in New York when their Supreme Court struck down a law which would have restricted those permitted to conceal carry.

Last year, Gov. Greg Abbott signed a permit-free carry law which allowed Texans over the age of 21 to carry handguns in public without the need to obtain a license.

Houston Mayor Sylvester Turner expressed his frustration that "the State of Texas has not changed a single law" after the Uvalde mass shooting.

"Now, just as young students are returning to school, high school seniors who are just turning 18 can openly carry a handgun?" Turner's statement read. "Making gun access—with no background checks or training—is making it harder to keep our city safe. Unlicensed carry was a mistake, and now 18-year-olds openly carrying handguns... our children deserve better."

Haley Carter, who chairs the mayor's commission against gun violence, wrote that increasing access to guns for 18-year-olds is irresponsible. "In the military, before you can carry a weapon, you are training and drilled to be proficient, as I was in the Marines," Carter wrote in a statement. "Allowing 18-year-olds to carry handguns, openly, with no training, is dangerous public policy and an affront to common sense gun owners."

Texas Democratic Party Chairman Gilberto Hinojosa also voiced her disagreement. "We yet again call on Republican to protect our children and codify real gun violence prevention measures before it's too late," Hinojosa went on to say. "If Republicans continue blocking action to stop gun violence, it's a matter of when—not if—the next horrifying tragedy in Texas occurs."