

# Campus Carry Information for Texas Community Colleges

## Campus Carry – SB 11 Frequently Asked Questions

**(1)** What is the current law for carrying handguns on campus and when will that change?

Currently, firearms are not permitted in any college building. A person commits an offense under Texas Penal Code § 46.03 if the person possesses a firearm on the premises of the College. Premises is defined as "a building or portion of a building" and does not include "any public or private driveway, street, sidewalk, or walkway, parking lot, parking garage, or other parking area." The new campus carry law that was signed by Governor Abbott on June 13, 2015 will allow persons with a state mandated concealed handgun license (CHL) to carry a concealed handgun in certain areas on campus **beginning on August 1, 2017** so long as the area has not been designated by the College as a weapons free area.

**(2)** What is the "campus carry" law?

On June 13, 2015 Governor Greg Abbott signed into law Senate Bill No. 11 (S.B. 11), also known as the "campus carry" law. S.B. 11 amends Section 411.2031 of the Texas Government Code to allow carrying of handguns by license holders on **Community College campuses beginning on August 1, 2017**. While the College President may not generally prohibit license holders from carrying concealed weapons on the campus, the law gives public Colleges some discretion to regulate campus carry including designating certain areas on campus where concealed handguns are prohibited. The law authorizes the College to adopt and receive approval of its campus carry policy from the Board of Regents by August 1, 2017.

**(3)** Who can carry a concealed weapon on campus under S.B. 11?

After the College has implemented its campus carry policy and **the law takes effect on August 1, 2017**, only persons with a state-mandated concealed handgun license (CHL) **are allowed to carry a concealed handgun** on campus so long as the area has not been designated as a weapons free area. A person must be at least 21 years of age, undergo training and meet other statutory requirements to obtain a CHL in the State of Texas.

**(4)** What is the difference between "campus carry" and "open carry"?

In addition to authorizing campus carry, in 2015 the Texas Legislature made revisions to the Penal Code to allow license holders to openly carry a handgun in various locations in the State of Texas starting January 1, 2016.

While a license holder can visibly carry their handgun in a waist belt holster or a shoulder holster under the "open carry" law, **S.B. 11 only addresses "campus carry" to give license holders the right to carry handguns in a concealed manner on Community College campuses starting August 1, 2017**. "Open carry" will still be prohibited on the College campus and any public or private driveway, street, sidewalk or walkway, parking lot, parking garage or other parking area of the College.

**(5)** Will College faculty and staff be allowed to carry concealed weapons?

The campus carry law does not prohibit College faculty and staff from carrying a concealed weapon **beginning on August 1, 2017** so long as it is consistent with the College's campus carry policy that will be implemented by August 1, 2017. As mandated by S.B. 11, the College is responsible for promulgating guidelines for campus carry, including the extension of this privilege to faculty and staff.

**(6)** Does the law allow for open carry?

S.B. 11 addresses only concealed handgun carry on **Community College campuses after August 1, 2017**, and does **NOT** allow open carry. Thus, under Texas law, it will continue to be illegal to display a firearm inside campus buildings or on campus streets, parking lots, sidewalks, walkways, etc.

**(7)** What process will the College use to develop the mandated campus carry policy?

The Alvin Community College is currently developing a Campus Carry Work Group with the responsibility to develop a campus carry policy that is compliant with S.B. 11, addresses the safety and welfare of College students and the campus community, and that is based upon input obtained from campus constituents.

The ACC Campus Carry Work Group will be comprised of representatives from various College departments and groups.

**(8)** What is the Work Group's timeframe for developing the policy?

The Work Group plans to seek approval from the Board of Regents by May 2017 and the approved policy must be in effect **beginning August 1, 2017**.

**(9)** Can I carry a concealed weapon at sporting events?

No, S.B. 11 and the Texas Penal Code prohibit a license holder from carrying a concealed weapon at an on campus sporting event.

**(10)** How will the College determine which areas to allow weapons?

The Work Group will consider many factors in making recommendations as to where concealed weapons will be allowed on campus, including the size, purpose, and safety concerns related to each College-owned building and facility. In addition, the Work Group will take into account the student body population and the uniqueness of the campus environment as well as responses to a survey made available to the College community. There must be a reasonable justification for each location restricting concealed carry.

**(11)** How will areas be designated weapon-free?

S.B. 11 requires that the College give notice to license holders for each building restricting the concealed carry of a weapon. Notice is defined under Texas Penal Code Section 30.06 to include a sign that:

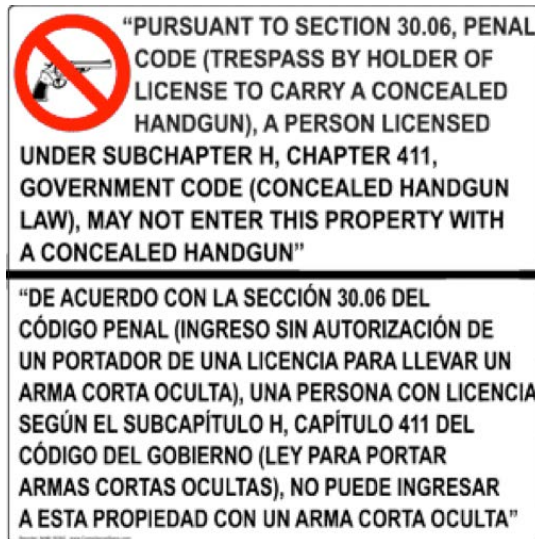
contains this language "Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun."

Is written in both English and Spanish;

Is written with contrasting colors and with block letters at least one inch in height; and

Is displayed in a conspicuous manner clearly visible to the public.

An example of such a sign is included below.



**(12)** Can I provide suggestions and comments regarding the policy?

The College welcomes the input of faculty, staff, students, its stakeholders and the surrounding ACC communities. An online survey link will be posted to our website to receive your comments and public forums will be held once the draft policy is developed.

**(13)** Will students receive safety training on gun use?

CHL holders are required to complete state mandated safety courses to acquire the license.

**(14)** What happens if someone violates the College's campus carry policy?

Under S.B. 11, a person who fails to comply with the concealed handgun rules and regulations prescribed by the College will be in violation of the Texas Penal Code and criminal charges will be brought against the violator.