

## *Texas A&M University-San Antonio*

### **34.06.02.01 Carrying Concealed Handguns on Campus**

Approved: April 27, 2016 (Effective August 1, 2016)

Next Scheduled Review: April 27, 2021

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#### **Rule Statement**

This rule is designed to promote knowledge about the permissible concealed carrying of handguns and to provide information relative to those areas on campus where concealed carry is excluded.

#### **Reason for Rule**

This rule is established pursuant to Texas Government Code 411.2031.

#### **Procedures and Responsibilities**

1. The university president established this rule after consulting with Texas A&M University-San Antonio students, staff and faculty about the nature of the student population, specific safety considerations, and the uniqueness of the campus environment. These rules were reviewed by the system board of regents as required by law.
2. A handgun license holder under Chapter 411, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of Texas A&M University-San Antonio or in a Texas A&M University-San Antonio vehicle, unless prohibited by state or federal law, or this rule. The open carrying of a handgun on campus is prohibited. Licensed peace officers are authorized by law to carry firearms at all times.
3. Texas A&M University-San Antonio enforces state law regulating firearms on campus. This enforcement occurs in two ways. First, university police or other applicable law enforcement agencies will investigate and take appropriate action, including referral for criminal prosecution when violations occur. Second, Texas A&M University-San Antonio will consider any violation of state law regulating firearms to be a violation of Texas A&M University-San Antonio rules. Accordingly, such a violation is subject to disciplinary action under rules applicable to students, faculty, and staff.
4. Rules Applicable to Carrying a Concealed Handgun on Campus
  - A. State Law Prohibitions

A license holder is responsible for complying with the applicable state prohibitions. See Appendix.

## B. Federal Law Prohibitions

A license holder is responsible for complying with the applicable federal law prohibitions.

## C. Other Prohibited Campus Premises

A license holder is also prohibited from carrying a concealed handgun on the following campus premises:

- 1) Student Wellness & Counseling Center
- 2) Fitness Center
- 3) Any premises where the university, as directed or approved by the president as necessary for campus safety, gives effective notice on a temporary basis pursuant to Section 30.06, Penal Code. For this rule, the term “owner of the property” in Section 30.06(b), Penal Code, means the president of the university. No university employee is “someone with apparent authority to act for the owner” for purposes of Section 30.06(b), Penal Code. All notices under Section 30.06, Penal Code, will be institutional notice, conform to Sections 46.03 and 46.035, Penal Code, and apply equally to all handgun license holders;
- 4) Any campus premises leased by the university to a third party, if the third party determines to prohibit the concealed carry of handguns on the premises and provides effective notice pursuant to Section 30.06, Penal Code; and
- 5) Assigned offices, as approved by the president, for which the employee has demonstrated that the carrying of a concealed handgun by a license holder in the office presents a significant risk of substantial harm due to a negligent discharge.

5. At all premises where concealed carry is prohibited, Texas A&M University-San Antonio must give effective notice under Section 30.06, Penal Code.

## **Related Statutes, Policies, or Requirements**

[System Regulation 34.06.02, Weapons](#)

## **Definitions**

Assigned office – an office assigned to an individual faculty or staff member that is not generally open to the public.

Campus - means all land and buildings owned or leased by Texas A&M University-San Antonio.

Campus housing – means dormitories or other residential facilities located on campus that are: (1) owned and operated by Texas A&M University-San Antonio; or (2) leased and operated by Texas A&M University-San Antonio.

Premises – means a building or portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

Significant risk – means a high probability of harm, not just a slightly increased, speculative, or remote risk.

Substantial harm – means serious injury or death to a person or persons, or destruction of valuable property.

## **Appendix**

### [Texas Statutory Prohibitions](#)

#### **Contact Office**

##### **Office of Student Affairs**

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