

BILL ANALYSIS

C.S.H.B. 896
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Law Enforcement
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Individuals who complete rigorous training, background checks and an application process to obtain a concealed handgun license (CHL) do so in order to protect themselves in a lawful and responsible manner. However, if an employer's "No Firearms" policy extends beyond the workplace to include parking lots and parking garages, an employer effectively prohibits CHL holders from protecting themselves during the workweek. C.S.H.B. 896 allows a CHL holder to transport and store a handgun in a locked vehicle parked on the property of his or her employer. C.S.H.B. 896 also provides immunity from liability for an employer if there is an incident involving the possession of a handgun by a licensed individual.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends §411.203 of the Government Code to prohibit a public or private employer from establishing, maintaining or enforcing any policy that has the effect of prohibiting a person who holds a concealed handgun license from transporting or storing a handgun inside a locked vehicle in any parking lot or other designated parking area except as provided by subsection(b).

The bill further amends §411.203 to authorize a private employer to prohibit an employee from transporting or storing a concealed handgun in a vehicle in a parking area if 1) the parking area is surrounded by a gate and not open to the public; and 2) monitored by security personnel at the points of ingress and egress.

The bill provides that a public or private employer is not liable in a civil action for damages resulting from an occurrence involving the possession of a concealed handgun by a person licensed under this subchapter.

The bill provides that this section does not authorize a person licensed to carry a concealed handgun on any premises where state or federal law prohibit the carrying of a concealed handgun.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

HB 896 did not provide exceptions to §411.203, while the substitute provides that a private employer may prohibit an employee from transporting or storing a concealed handgun in a vehicle in a parking area, if the parking area is surrounded by a gate, is not open to the public, and security personnel monitor the ingress and egress of the parking lot.