

BILL ANALYSIS

C.S.H.B. 220
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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, under current law, an employer's "No Firearms" policy may extend beyond the workplace to include parking lots and parking garages. This enables an employer to effectively prohibit CHL holders from protecting themselves during the workweek as they cannot carry their firearm with them to and from work.

C.S.H.B. 220, as proposed, would allow a CHL holder to transport and store a handgun in a locked vehicle parked on the property of his or her employer, but does not allow a correctly licensed person to carry a handgun where prohibited by state or federal law.

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

C.S.H.B. 220 amends Section 411, Government Code to prohibit a public or private employer from prohibiting a person, who holds a concealed handgun license, from transporting or storing a handgun inside a locked vehicle in any parking lot, parking garage, or other designated parking area provided by the employer for the employees.

The bill further amends Government Code Section 411 to authorize a private employer to prohibit an employee from transporting or storing a concealed handgun in a vehicle in a parking area, provided for the employees by the employer, only if the parking lot, parking garage, or other parking area is completely surrounded by a fence or other structure with a gate access, is not open to the public, and is constantly monitored by security personnel at the points of ingress and egress.

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

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The modifies subsection (a) to account for subsection (b) of Section 411.203 of the Government Code, and clarifies that the parking lot, parking garage, or other parking area must be surrounded by a fence or other structure with a gate access, where the original stated it must be surrounded by a gate.

It also removes the exemption for a public or private employer that states that the 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 the subchapter.