

By: Simpson

H.B. No. 2890

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to an employee's transportation and storage of certain  
3 firearms or ammunition while on certain property owned or  
4 controlled by the employee's employer.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter H, Chapter 411, Government Code, is  
7 amended by adding Section 411.2031 to read as follows:

8 Sec. 411.2031. RESTRICTION ON STATE AGENCY PROHIBITIONS.

9 (a) A state agency may not prohibit an employee of the agency who  
10 holds a license to carry a concealed handgun under Subchapter H,  
11 Chapter 411, Government Code, from transporting or storing a  
12 handgun of the same category the person is licensed to carry:

13 (1) in a locked, privately owned motor vehicle or a  
14 motor vehicle leased by the employee in a parking lot, parking  
15 garage, or other parking area the agency provides for employees; or

16 (2) in a motor vehicle owned or leased by the state  
17 agency if the employee is traveling in the motor vehicle in the  
18 official discharge of the employee's duties.

19 (b) Subsection (a) does not:

20 (1) prohibit a state agency from adopting a policy  
21 requiring that a handgun described by Subsection (a), while on  
22 property controlled by the agency, must be stored in a locked,  
23 privately owned motor vehicle or a motor vehicle leased by the  
24 employee and hidden from plain view or locked in a case or container

1 located in the vehicle while the vehicle is unattended; or

2 (2) authorize a state employee to carry a concealed  
3 handgun on any property where the possession of a firearm is  
4 prohibited by state or federal law.

5 (c) Subsection (a) does not prohibit a state agency from  
6 prohibiting an employee who holds a license to carry a concealed  
7 handgun under Subchapter H, Chapter 411, Government Code, from  
8 carrying a concealed handgun on the premises of the agency. In this  
9 subsection, "premises" has the meaning assigned by Section  
10 46.035(f)(3), Penal Code.

11 (d) In this section, state agency means:

12 (1) a department, commission, board, office, or other  
13 agency in the executive branch of state government, created under  
14 the constitution or a statute, with statewide authority;

15 (2) a university system or an institution of higher  
16 education as defined by Section 61.003, Education Code;

17 (3) the supreme court, the court of criminal appeals,  
18 another entity in the judicial branch of state government with  
19 statewide authority, or a court of appeals; or

20 (4) a legislative agency listed in Section 326.001.

21 (e) To the extent of a conflict between this section and  
22 Section 411.203, this section controls.

23 SECTION 2. This Act takes effect September 1, 2011.