

BILL ANALYSIS

Senate Research Center

S.B. 1907
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Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas concealed handgun license (CHL) holders must meet strict requirements. In order to qualify for a CHL, an applicant must be age 21 or older and have a clean criminal history record free from felonies and certain lesser offenses, among other requirements such as being free from chemical dependency and specified mental health afflictions. Should those prerequisites be met, an applicant must successfully complete a course of study and demonstrate shooting proficiency. CHL holders are generally careful and law abiding Texans. Statistics from the Department of Public Safety of the State of Texas confirm that CHL holders commit fewer crimes than the general public.

Under current law, some Texas colleges and universities have policies that prohibit a CHL holder in attendance from storing a handgun in his or her locked vehicle while on campus. S.B. 1907 prohibits a public or private institution of higher education from adopting or enforcing a provision prohibiting a CHL holder attending the institution from storing a legal handgun in his or her locked vehicle while parked on campus.

S.B. 1907 amends current law relating to the transportation and storage of firearms and ammunition by concealed handgun license holders in private vehicles on the campuses of certain institutions of higher education.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter H, Chapter 411, Government Code, by adding Section 411.2032, as follows:

Sec. 411.2032. TRANSPORTATION AND STORAGE OF FIREARMS AND AMMUNITION BY LICENSE HOLDERS IN PRIVATE VEHICLES ON CERTAIN CAMPUSES. (a) Defines "campus," "institution of higher education," and "private or independent institution of higher education" for purposes of this section.

(b) Prohibits an institution of higher education or private or independent institution of higher education in this state from adopting or enforcing any rule, regulation, or other provision or taking any other action, including posting notice under Section 30.06 (Trespass by Holder of License to Carry Concealed Handgun), Penal Code, prohibiting or placing restrictions on the storage or transportation of a firearm or ammunition in a locked, privately owned or leased motor vehicle by a person, including a student enrolled at that institution, who holds a license to carry a concealed handgun under this subchapter and lawfully possesses the firearm or ammunition:

(1) on a street or driveway located on the campus of the institution; or

(2) in a parking lot, parking garage, or other parking area located on the campus of that institution.

SECTION 2. Effective date: September 1, 2013.