

Amend CSHB 910 (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

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

Sec. 411.2031. CARRYING OF HANDGUNS BY LICENSE HOLDERS ON CERTAIN CAMPUSES. (a) For purposes of this section:

(1) "Campus" means all land and buildings owned or leased by an institution of higher education or private or independent institution of higher education.

(2) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(3) "Premises" has the meaning assigned by Section 46.035, Penal Code.

(b) A license holder may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of an institution of higher education or private or independent institution of higher education in this state.

(c) Except as provided by Subsection (d) or (e), a license holder may not be required to comply with any rule, regulation, or other provision adopted by an institution of higher education or private or independent institution of higher education in this state that prohibits license holders from carrying concealed handguns on the campus of the institution.

(d) A license holder shall comply with rules, regulations, or other provisions established by an institution of higher education or private or independent institution of higher education in this state concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution.

(e) Except as provided by Section 411.2032, a license holder shall comply with rules, regulations, or other provisions that are, after consulting with students, staff, and faculty of the institution, established by a private or independent institution of higher education in this state, to prohibit license holders from carrying handguns on the campus of the institution, on any grounds

or building on which an activity sponsored by the institution is being conducted, or in a passenger transportation vehicle of the institution.

(f) This section does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a hospital maintained or operated by an institution of higher education or private or independent institution of higher education if the hospital gives effective notice under Section 30.06, Penal Code. In this subsection, "hospital" has the meaning assigned by Section 241.003, Health and Safety Code.

(g) This section does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a preschool, elementary school, or secondary school that is located on the campus of an institution of higher education or private or independent institution of higher education if the institution gives effective notice under Section 30.06, Penal Code.

(h) This section does not permit a person to possess a concealed handgun, or go with a concealed handgun, inside a building or a portion of a building that is in continuous use as a national biocontainment laboratory in which biological specimens are stored or used and that is located on the premises of an institution of higher education or private or independent institution of higher education and maintained or operated by the institution, if the institution gives effective notice under Section 30.06, Penal Code, with respect to that building or portion of that building. This subsection does not apply to any portion of a building to which students, faculty, staff, or the general public are granted unrestricted access.

(i) This section does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a criminal justice agency that is located on the campus of an institution of higher education or public or private institution of higher education and that performs forensic deoxyribonucleic acid analyses on evidence.

SECTION \_\_\_\_\_. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.209 to read as follows:

Sec. 411.209. LIABILITY OF LICENSE HOLDERS CARRYING

HANDGUNS ON CERTAIN CAMPUSES. (a) The acts or omissions of a license holder under this subchapter may not be the basis of a liability claim against an institution of higher education, an officer or employee of an institution of higher education, a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), or an officer or employee of a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), unless the license holder is an officer or employee of the institution of higher education or private or independent institution of higher education described by this subsection, who possesses a handgun on the campus of that institution and whose conduct with regard to the handgun is made the basis of a claim for personal injury or property damage.

(b) For purposes of this section:

(1) "Campus" has the meaning assigned by Section 411.2031.

(2) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

SECTION \_\_\_\_\_. Section 30.06(e), Penal Code, is amended to read as follows:

(e) It is an exception to the application of this section that the property on which the license holder carries a handgun is owned or leased by a governmental entity and is not:

(1) a premises or other place on which the license holder is prohibited from carrying the handgun under Section 46.03 or 46.035; or

(2) the portion of the premises of an institution of higher education, as defined by Section 61.003, Education Code, that is described by Section 411.2031(h), Government Code.

SECTION \_\_\_\_\_. Section 46.03, Penal Code, is amended by amending Subsections (a) and (c) and adding Subsections (j), (k), (l), and (m) to read as follows:

(a) A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon listed in Section 46.05(a):

(1) on the physical premises of a school or

educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless:

(A) pursuant to written regulations or written authorization of the institution; or

(B) the person possesses or goes with a concealed handgun that the person is licensed to carry under Subchapter H, Chapter 411, Government Code, and no other weapon to which this section applies, on the premises of an institution of higher education or private or independent institution of higher education, on any grounds or building on which an activity sponsored by the institution is being conducted, or in a passenger transportation vehicle of the institution;

(2) on the premises of a polling place on the day of an election or while early voting is in progress;

(3) on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court;

(4) on the premises of a racetrack;

(5) in or into a secured area of an airport; or

(6) within 1,000 feet of premises the location of which is designated by the Texas Department of Criminal Justice as a place of execution under Article 43.19, Code of Criminal Procedure, on a day that a sentence of death is set to be imposed on the designated premises and the person received notice that:

(A) going within 1,000 feet of the premises with a weapon listed under this subsection was prohibited; or

(B) possessing a weapon listed under this subsection within 1,000 feet of the premises was prohibited.

(c) In this section:

(1) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(2) "License holder" means a person licensed to carry a handgun under Subchapter H, Chapter 411, Government Code.

(3) "Premises" has the meaning assigned by Section 46.035.

(4) [~~2~~] "Secured area" means an area of an airport terminal building to which access is controlled by the inspection of persons and property under federal law.

(j) Subsection (a)(1)(B) does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a hospital maintained or operated by an institution of higher education or private or independent institution of higher education if the hospital gives effective notice under Section 30.06. In this subsection, "hospital" has the meaning assigned by Section 241.003, Health and Safety Code.

(k) Subsection (a)(1)(B) does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a preschool, elementary school, or secondary school that is located on the premises of an institution of higher education or private or independent institution of higher education if the institution gives effective notice under Section 30.06.

(l) Subsection (a)(1)(B) does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, inside a building or a portion of a building that is in continuous use as a national biocontainment laboratory in which biological specimens are stored or used and that is located on the premises of an institution of higher education or private or independent institution of higher education and maintained or operated by the institution, if the institution gives effective notice under Section 30.06 with respect to that building or portion of that building. This subsection does not apply to any portion of a building to which students, faculty, staff, or the general public are granted unrestricted access.

(m) Subsection (a)(1)(B) does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a criminal justice agency that is located on the campus of an institution of higher education or public or private institution of higher education and that performs forensic deoxyribonucleic acid analyses on evidence.

SECTION \_\_\_\_\_. Section 46.035, Penal Code, is amended by

adding Subsection (1) to read as follows:

(1) Subsection (b)(2) does not apply on the premises where a collegiate sporting event is taking place if the actor was not given effective notice under Section 30.06.

SECTION \_\_\_\_\_. Section 411.209, Government Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.