

By: Eckhardt, Gutierrez

S.B. No. 354

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the carrying of concealed handguns on the campuses of
3 and certain other locations associated with institutions of higher
4 education.

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

6 SECTION 1. Sections 411.2031(b) and (d-1), Government Code,
7 are amended to read as follows:

8 (b) Except as otherwise provided by this section, a [A]
9 license holder may carry a concealed handgun on or about the license
10 holder's person while the license holder is on the campus of an
11 institution of higher education or private or independent
12 institution of higher education in this state.

13 (d-1) An institution of higher education may establish
14 rules, regulations, or other provisions prohibiting license
15 holders from carrying handguns on any portion of the campus of the
16 institution, any portion of the grounds or building on which an
17 activity sponsored by the institution is being conducted, or a
18 passenger transportation vehicle owned by the institution, if a
19 majority of the members of the legislative body of the
20 institution's student government vote to propose the prohibition
21 and if the prohibition is then approved by a majority of the
22 students, staff, and faculty of the institution voting on the issue
23 at a referendum election held by the institution for the purpose.
24 The approval of a majority of the members of the legislative body of

1 the institution's student government is required to propose a
2 rescission of the prohibition in a subsequent referendum election.
3 The institution shall hold a referendum election not later than the
4 60th day after the date that its student government proposes an
5 action described by this subsection, and all students, staff, and
6 faculty of the institution must be allowed to vote on the issue. Not
7 later than the 30th day after the date of a referendum election, the
8 president or other chief executive officer of the institution's
9 student government shall certify the results. [~~After consulting~~
10 ~~with students, staff, and faculty of the institution regarding the~~
11 ~~nature of the student population, specific safety considerations,~~
12 ~~and the uniqueness of the campus environment, the president or~~
13 ~~other chief executive officer of an institution of higher education~~
14 ~~in this state shall establish reasonable rules, regulations, or~~
15 ~~other provisions regarding the carrying of concealed handguns by~~
16 ~~license holders on the campus of the institution or on premises~~
17 ~~located on the campus of the institution. The president or officer~~
18 ~~may not establish provisions that generally prohibit or have the~~
19 ~~effect of generally prohibiting license holders from carrying~~
20 ~~concealed handguns on the campus of the institution. The president~~
21 ~~or officer may amend the provisions as necessary for campus~~
22 ~~safety. The provisions take effect as determined by the president~~
23 ~~or officer unless subsequently amended by the board of regents or~~
24 ~~other governing board under Subsection (d-2).] The institution
25 must give effective notice under Section 30.06, Penal Code, with
26 respect to any portion of a premises on which license holders may
27 not carry.~~

1 SECTION 2. Sections 411.208(a), (b), and (d), Government
2 Code, are amended to read as follows:

3 (a) A court may not hold the state, an agency or subdivision
4 of the state, an officer or employee of the state, an institution of
5 higher education that allows concealed handguns on campus under
6 Section 411.2031, an officer or employee of an institution of
7 higher education that allows concealed handguns on campus under
8 Section 411.2031, a private or independent institution of higher
9 education that allows concealed handguns on campus under Section
10 411.2031 [~~has not adopted rules under Section 411.2031(e)~~], an
11 officer or employee of a private or independent institution of
12 higher education that allows concealed handguns on campus under
13 Section 411.2031 [~~has not adopted rules under Section 411.2031(e)~~],
14 a peace officer, a qualified handgun instructor, or an approved
15 online course provider liable for damages caused by:

16 (1) an action authorized under this subchapter or a
17 failure to perform a duty imposed by this subchapter; or

18 (2) the actions of an applicant or license holder that
19 occur after the applicant has received a license or been denied a
20 license under this subchapter.

21 (b) A cause of action in damages may not be brought against
22 the state, an agency or subdivision of the state, an officer or
23 employee of the state, an institution of higher education that
24 allows concealed handguns on campus under Section 411.2031, an
25 officer or employee of an institution of higher education that
26 allows concealed handguns on campus under Section 411.2031, a
27 private or independent institution of higher education that allows

1 concealed handguns on campus under Section 411.2031 [~~has not~~
2 ~~adopted rules under Section 411.2031(e)~~], an officer or employee of
3 a private or independent institution of higher education that
4 allows concealed handguns on campus under Section 411.2031 [~~has not~~
5 ~~adopted rules under Section 411.2031(e)~~], a peace officer, a
6 qualified handgun instructor, or an approved online course provider
7 for any damage caused by the actions of an applicant or license
8 holder under this subchapter.

9 (d) The immunities granted under Subsections (a), (b), and
10 (c) do not apply to:

11 (1) an act or a failure to act by the state, an agency
12 or subdivision of the state, an officer of the state, an institution
13 of higher education that allows concealed handguns on campus under
14 Section 411.2031, an officer or employee of an institution of
15 higher education that allows concealed handguns on campus under
16 Section 411.2031, a private or independent institution of higher
17 education that allows concealed handguns on campus under Section
18 411.2031 [~~has not adopted rules under Section 411.2031(e)~~], an
19 officer or employee of a private or independent institution of
20 higher education that allows concealed handguns on campus under
21 Section 411.2031 [~~has not adopted rules under Section 411.2031(e)~~],
22 or a peace officer if the act or failure to act was capricious or
23 arbitrary; or

24 (2) any officer or employee of an institution of
25 higher education or private or independent institution of higher
26 education described by Subdivision (1) who possesses a handgun on
27 the campus of that institution and whose conduct with regard to the

1 handgun is made the basis of a claim for personal injury or property
2 damage.

3 SECTION 3. Section [411.2031\(d-2\)](#), Government Code, is
4 repealed.

5 SECTION 4. Section [411.208](#), Government Code, as amended by
6 this Act, applies only to a cause of action that accrues on or after
7 the effective date of this Act. A cause of action that accrues
8 before the effective date of this Act is governed by the law in
9 effect immediately before that date, and that law is continued in
10 effect for that purpose.

11 SECTION 5. This Act takes effect September 1, 2025.