

Lamar State College Port Arthur
“Campus Carry” or Concealed Handgun Policy
Approved by Texas State University System May 2016

1.0 Introduction

1.1 Background: Senate Bill 11, commonly referred to as the “campus carry” law, was passed by the Texas Legislature and signed into law by Governor Greg Abbott in 2015. The law states that, beginning on August 1, 2016, a person who holds a Texas License to Carry a Concealed Handgun may carry a concealed handgun on the grounds and in the buildings of an institution of higher education. While the President of Lamar State College Port Arthur may not generally prohibit license holders from carrying concealed handguns on the campus, the law gives public colleges and universities some discretion to regulate campus carry including designating certain areas on campus where concealed handguns are prohibited. The law requires the College to receive approval of its campus carry policy from the Board of Regents and implement the same by August 1, 2016.

Lamar State College Port Arthur recognizes that a safe and secure environment is critical to maintaining a climate that is conducive to learning. The College’s Campus Carry Policy is consistent with the State of Texas Law and the governing policies and procedures of the Texas State University System Board of Regents.

1.2 Purpose: The purpose of the Campus Carry or Concealed Handgun Policy is to set forth the College’s Policy on concealed handguns on campus and to provide the consequences of violation of this Policy including College disciplinary action and possible criminal penalties.

1.3 Application: The Campus Carry or Concealed Handgun Policy applies to all faculty, staff, students, and visitors; and individuals and organizations doing business on or on behalf of Lamar State College Port Arthur.

1.4 Effective Date: The Campus Carry or Concealed Handgun Policy will become effective on August 1, 2016.

2.0 Definitions

2.1 Concealed Carry is defined as carrying a firearm in a fashion so that the firearm is not discernible by ordinary observation, and is in such close proximity to the person that it is readily accessible for prompt use.

2.2 Campus is defined as all land and buildings owned or leased by Lamar State College Port Arthur.

2.3 Premises is defined by Section 46.035 of the Penal Code as a “building or a portion of a building”. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

2.4 Open Carry or Texas House Bill 910 became law on January 1, 2016 and makes it legal for concealed handgun license (CHL) holders to carry visible handguns in the state of Texas. However, open carry does not apply to public colleges and universities, including LSCPA.

2.5 Handgun is defined by the Texas Penal Code 46.01 as “any firearm that is designed, made, or adapted to be fired with one hand.”

2.6 Concealed handgun is defined as a handgun, the presence of which is not openly noticeable to the ordinary observation by a reasonable person.

2.7 Concealed Handgun License is defined as a current Concealed Handgun License issued by the Texas Department of Public Safety under the authority of the Texas Government Code, Chapter 411, Subchapter I.

3.0 Carrying of Concealed Handgun by a License Holder

3.1 Right to Carry. A Licensed Holder may carry a concealed handgun while on the campus premises (including public driveways, streets, sidewalks or walkways, parking lots, and other parking areas) and in Lamar State College Port Arthur passenger transportation vehicles, unless prohibited by state or federal law, or by this policy

3.2 Intoxication. A Concealed Handgun License Holder may not carry a concealed handgun while intoxicated.

3.3 Display of Concealed Handgun. A Concealed Handgun License Holder may not carry a partially or wholly visible handgun, or intentionally or knowingly display a handgun in plain view of another person, even if holstered, on the campus premises, including public driveways, streets, sidewalks, walkways, parking lots, or other parking areas on the premises of Lamar State College Port Arthur.

3.4 Requirement to Display License. A Concealed Handgun License Holder must display his/her License to Carry a Concealed Handgun issued by the Texas Department of Public Safety when directed by a law enforcement officer in accordance with Section 411.205 of the Texas Government Code. Otherwise, an individual is not required to disclose whether he/she is a Concealed Handgun License Holder in order to participate in any program or service offered by Lamar State College Port Arthur, except as required by law.

4.0 Designated No Handgun Areas

4.1 Lamar State College Port Arthur has designated No Handgun Areas as those areas that are already prohibited by law per Texas Penal Code 46.035. This would include, but is not limited to, all collegiate level competitive sporting events and any UIL sanctioned event hosted on the campus of Lamar State College Port Arthur.

4.2 Notice. A notice for ‘No Handgun Areas’ will be displayed on campus. The notice must state:

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

4.3 The notice may be provided to individuals on a card, document or sign. If notice is provided through signage, it must:

- Include the language italicized above in both English and Spanish,
- Use contrasting colors, block letters at least 1 inch in height; and,
- Be displayed in a conspicuous manner clearly visible to the public.

5.0 Handgun Storage

5.1 Lamar State College Port Arthur will not provide storage for handguns on the campus. It is the responsibility of the Concealed Handgun License Holder to properly store their handgun in a location allowable by law.

6.0 Concealed Handgun License Status

6.1 Authorized Concealed Handgun License Holders are not required to disclose their status to anyone other than a law enforcement officer. Lamar State College Port Arthur employees may not, under any circumstances, require faculty, staff, students, visitors or third parties to disclose their concealed handgun license status.

7.0 Employees

7.1 Employees with a Concealed Handgun License may exercise their right to carry a concealed handgun; however, under no circumstances is the concealed handgun to be shown or used within the scope of their employment. If found in violation of this provision and/or this policy, an employee may be subject to disciplinary actions that include written or verbal reprimands and/or termination.

8.0 Others on Campus

8.1 Others on campus such as vendors, contractors, and visitors must comply with this policy.

8.2 Anybody that does not comply with this policy may be subject to disciplinary and/or legal action. Disciplinary action may include removal from the campus while legal action may include criminal prosecution.

9.0 Closing

9.1 Lamar State College Port Arthur is obliged to follow Senate Bill 11, commonly referred to as the "campus carry" law and may not enact policies or provisions that violate the law. Any changes to the law must be initiated by the Texas legislature.