



# REGULATIONS

REG No.: 324

## WEAPONS CONTROL ON CAMPUS

### I. PURPOSE

Protects the college community from possible injury due to the unnecessary presence of weapons on campus property.

### II. BACKGROUND and/or LEGAL REFERENCE

TACC Policy Reference Manual, FLBF, Student Conduct: Texas Penal Code, 46.05, Weapons; Texas Penal Code, 46.03(1), Places Weapons Prohibited. Attorney General's Opinions 96-009 (1-29-96) and 97-007; Texas Penal Code, chapter 46 (especially section 46.15, Nonapplicability).

### III. DEFINITIONS

- A. *Student*: Any person who is enrolled in a credit or noncredit program or course.
- B. *Weapons, including firearms, illegal knives and/or clubs*: Is defined in Texas Penal Code, Section 46.01.
- C. "Prohibited weapon": Is defined in Texas Penal Code Section 46.05 (a).
- D. *Certified/commissioned police officer or peace officer*: Texas Code of Criminal Procedure Art. 2.12. Any local, state, or federal official responsible for enforcing local, state, or federal laws and having law-enforcement powers of arrest. Section 46.15 of the Texas Penal Code specifically excludes certain public officials (such as peace officers, parole officers, and judges) from prohibitions against carrying a weapon "regardless of whether the officer is engaged in the actual discharge of the officer's duties while carrying the weapon."
- E. *Visitor*: Any person who is present on campus other than students, college employees, and members of the board of trustees.
- F. *Premises*: A building or a portion of a building. The term generally does not include any public or private driveway, street, sidewalk, or walkway, parking lot, parking garage, or other parking area. However, the Texas Attorney General has extended the definition of premises applicable to educational institutions to include portions of a structure, and of the land, including appurtenances, on which the structure is situated, of which a school or educational institution has ownership or control. Tex. Penal Code 46.03(a)(1), 46.035(f)(3); Att'y Gen. Op. 96-009, 1996.
- G. *Weapon Free Zone*: As defined in Texas Penal Code, Section 46.11.

### IV. POLICY

- A. Students, visitors, and employees of the College are prohibited from carrying a firearm, illegal knife, club or prohibited weapon on the physical premises of the College campus, any grounds or building on which an activity sponsored by the College is being conducted, or a passenger transportation vehicle of the College. Tex. Penal Code; Sec. 46.03 (a)(1).
- B. On-duty commissioned police/peace officers and other officers of the court specified in Texas law,

whether in uniform or civilian clothes, who are on campus property in an official capacity or as students or as visitors are exempt from this policy.

- C. Officially enrolled students attending scheduled training programs requiring firearms or weapons and other persons specified in Texas law as being exempt from the prohibition against having firearms or weapons on the premises of an educational institution are authorized to transport firearms or weapons on and off campus provided such weapons remain secured in their motor vehicle. They are not authorized to carry firearms on their persons or into campus buildings unless engaged in approved training where the firearm or weapon is required in the building or unless specifically exempted from this prohibition by Texas law.
- D. The provisions of this policy do not apply to students, visitors, and employees of the college who are holders of a Concealed Handgun License to the extent that they are in compliance with Section 411.2032 of the Texas Government Code, Transportation and Storage of Firearms and Ammunition by License Holders in Private Vehicles on Certain Campuses.

1. (Enacted by Acts 2013, 83<sup>rd</sup> Leg., ch. 1248 (S.B. 1907),§ 1, effective September 1, 2013)

(POLICY APPROVAL: 6-17-99, Board of Trustees, amended 4-15-14)

**V. GUIDELINES**

- A. All persons found to be in violation of the above policy are subject to disciplinary action. Such action will be consistent in type, severity, and duration with college practice in dealing with all policy violations.
- B. If the violator is a student, responsibility for determining disciplinary action resides with the Vice President of Student Services.
- C. If the violator is a visitor to campus, responsibility for determining the college's action in the matter resides with the Vice President of Administrative Services.
- D. If the violator is an employee of the college, responsibility for determining disciplinary action resides with the President.
- E. Written notice of this regulation is available to students in the *Student Handbook*, employees in the *Employee Handbook* and is included on the facilities reservation form for those seeking to use college facilities.

BAM/FRV  
6-17-99  
BK/BAM  
4-15-14