

BILL ANALYSIS

Senate Research Center
85R7821 JSC-D

S.B. 1942
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, teachers and school employees who have a license to carry (LTC) can be prohibited by school policy from transporting or storing firearms and ammunition in a private, locked vehicle located in the school's parking area, even though it is perfectly lawful to do so. This means that LTC holders are without their firearms on their way to and from work and, consequently, it poses a threat to their safety. Current employer parking lot law prevents employers from having or enforcing such policies yet specifically excludes school employees from this protection.

An employer should not be able to take away a person's assurance of security or means to defend himself or herself. S.B. 1942 allows our educators and school employees to defend themselves and prevents a school district, private school, or charter school from prohibiting an LTC holder from transporting or storing firearms and ammunition in a private, locked vehicle located in a school parking area.

As proposed, S.B. 1942 amends current law relating to the transportation or storage of a handgun or other firearm or ammunition by a license holder in a motor vehicle in a parking area of a primary or secondary school.

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 411.2033, as follows:

Sec. 411.2033. TRANSPORTATION OR STORAGE OF FIREARM AND AMMUNITION BY LICENSE HOLDER IN SCHOOL PARKING AREA. (a) Defines "open-enrollment charter school" and "private school."

(b) Prohibits a school district, open-enrollment charter school, or private school from prohibiting a person, including a school employee, who holds a license to carry a handgun under this subchapter (License to Carry a Handgun) from transporting or storing a handgun or other firearm or ammunition in a locked, privately owned or leased motor vehicle in a parking lot, parking garage, or other parking area provided by the district or charter or private school, provided that the handgun, firearm, or ammunition is not in plain view.

(c) Provides that this section does not authorize a person to possess, store, or transport a handgun, firearm, or ammunition in violation of Section 37.125 (Exhibition of Firearms), Education Code, Section 46.03 (Places Weapons Prohibited) or 46.035 (Unlawful Carrying of Handgun by License Holder), Penal Code, or other law.

SECTION 2. Effective date: September 1, 2017.