

Restricting Campus Carry at Public Universities in Texas

The Texas Legislature has passed, and Governor Abbott has signed, a bill allowing concealed carry of handguns on the grounds of institutions of higher learning. The provisions of the bill take effect on August 1, 2016. The link to the bill is [here](#).

It's important to note that Senate Bill 11 specifically precludes open carry on campuses of institutions of higher learning. Further, in Texas concealed carry permits are issued only to people over the age of 21, which eliminates a significant portion of college and university populations.

This legislation was approved despite the objections of many Texas university and college administrators, most notably Chancellor William McRaven of the University of Texas System. Chancellor McRaven said in a statement following the bill's passage:

"Today, the Texas Legislature reached a decision on the issue of campus carry. While it is not what we had hoped for, I respect the Legislature's decision. I also appreciate legislators for recognizing the very specific safety considerations that are unique to campus environments."

"It is helpful that the bill was amended to allow our campus presidents to consult with students, faculty and staff to develop rules and regulations that will govern the carrying of concealed handguns on campuses. I look forward to working with our presidents as they craft these policies and bring them to our Board of Regents for review."

"I pledge to our students, faculty, staff, patients and their families and to all those who may visit a UT institution that, as UT System leaders, we will do everything in our power to maintain safe and secure campuses." Chancellor McRaven's memorandum to the University of Texas System can be found [here](#).

At Texas A&M, Chancellor John Sharp, at the behest of Lt Governor Dan Patrick, supplied a letter to the Texas Legislature in which he stated:

"Having licensed gun owners in possession of legal weapons on our campuses does not raise safety concerns for me personally. The real question is this: "Do I trust my students, faculty and staff to work and live responsibly under the same laws at the university as they do at home? Of course I do! ... This is my personal opinion. The Texas A&M University System will not have a position on this issue and will not oppose campus carry." The Student Senate at Texas A&M was in favor of passage, while the Faculty Senate was not.

The Texas Association of College and University Police Administrators, a group that represents Texas college and university police chiefs, opposes allowing students to carry concealed handguns onto college campuses. Felipe Garza, president of the group, says there are 'too many uncertainties' of college life, from being away from school for the first time, to the stress of college, to the temptations of drugs and alcohol.' Garza says he is also worried about the security of the guns which are taken into college dorms and campuses. Link [here](#). Garza expressed concern over appropriate storage of weapons to keep them out of the possession of someone other than their owners.

Senate Bill 11 allows private institutions to prohibit campus carry of handguns, but explicitly states that public institutions are not allowed to establish rules that would “effectively prohibit” individuals from carrying concealed handguns on campus.

However, public institutions are allowed to impose reasonable limits on campus carry, which must be submitted to the legislature for approval in every even numbered year. It is likely that hospitals and secured research laboratories will be among those areas of an institution where carrying concealed handguns will be prohibited. Non-university hospitals are already allowed to prohibit concealed handguns.

The bill suggests that campus dormitories are areas where concealed carry might be prohibited, but does not mention other areas on campus that might be candidates for prohibition. Some have noted that with some areas of campus off limits to concealed weapons, safe and secure storage could be an issue.

The extension of concealed carry to college and university campuses is likely to come with a cost. According to fiscal analyses drawn up by Texas' higher education systems and obtained by the Houston Chronicle, so-called campus carry would cost the University of Texas and University of Houston systems nearly \$47 million combined over six years to update security systems, build gun storage facilities and bolster campus police units.

Beginning in 1990, the Clery Act required all colleges that participate in federal student aid programs to report crimes on and around their campuses. A database query of the CDC's Fatal Injury Reports reflects 18,536 total homicides in Texas from 2001 to 2013. The Clery data indicates that only five of those were on or near college campuses. (There are currently about 1.5 million students enrolled in institutions of higher education in the state.)

A final note: “When the founding fathers wrote that the right to bear arms “shall not be infringed,” did they mean guns must be allowed everywhere, even in classrooms and dorm rooms? The University of Virginia Board of Visitors addressed the issue of campus carry in 1824, and didn't have to look far for an originalist perspective—Thomas Jefferson and James Madison, members of the board, were in attendance. The board resolved that “No Student shall, within the precincts of the University ... keep or use weapons or arms of any kind, or gunpowder.””