

**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-POL. 141.300

Date: April 21, 2016

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**Supersedes: BPP-POL. 141.300
Dated January 21, 2016**

BOARD POLICY

SUBJECT: HANDGUN POLICY

PURPOSE: To establish a policy for persons who are licensed to carry a handgun on a state owned or leased premise.

AUTHORITY: Texas Government Code Chapter 411, Subchapter H, License to Carry a Handgun
Texas Labor Code Chapter 52 and 56.01
Texas Penal Code Section 46.01(3) Firearm and (5) Handgun
Texas Penal Code Section 46.03 Places Weapons Prohibited
Texas Penal Code Section 46.035 Unlawful Carrying of Handgun by License Holder
Texas Penal Code Section 46.15 Non-applicability
Texas Facilities Commission Tenants Manual Section IIE (*Revised 1/2016*)

POLICY: It is the policy of the Texas Board of Pardons and Paroles (Board) to authorize persons who are licensed to carry a handgun which includes Board Members, employees and the public to enter and remain on a state owned or leased premise so long as the premises are not designated as areas where weapons are prohibited.

DISCUSSION: Texas statute authorizes an individual to obtain and maintain a license to carry a handgun on their person. However, there are certain premises where an individual may not carry a handgun which are identified in statute or designated by the statutory required signage.

DEFINITIONS: Firearm - any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. Firearm does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons which are illegal and that is:

- (A) an antique or curio firearm manufactured before 1899; or
- (B) a replica of an antique or curio firearm manufactured before 1899, but only if the replica does not use rim fire or center fire ammunition.

Handgun - firearm that is designed, made, or adapted to be fired with one hand.

License to Carry (LTC) – a license issued by the Texas Department of Public Safety which authorizes an individual to carry a handgun under Subchapter H, Chapter 411, Government Code.

LTC Holder - a person licensed to carry a handgun under Subchapter H, Chapter 411, Government Code.

Premises - 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.

PROCEDURES:

I. Board Member or Employee

- A. A Board Member or employee who has a valid LTC may carry a handgun pursuant to the statute and may carry the handgun on duty as authorized by this policy.

However, a Board Member or employee who displays a handgun may not wear any designation, by clothing or other insignia, of the Board of Pardons and Paroles. It is the Board's intent that the Board Member or employee does not give the impression that they are official representatives of the Board authorized to carry a handgun while performing the official duties of the Board.

1. Notification - The Board Member or employee shall provide written notice to their immediate supervisor prior of their intent to carrying the handgun on duty. The immediate supervisor shall verify the Board Member or employee has a valid LTC. The appropriate supervisor shall notify the Presiding Officer who will authorize an employee with a valid LTC to carry the handgun on duty.
 2. A Board Member or employee shall sign the Handgun Policy Acknowledgement form (Appendix A) and shall keep the handgun on their person at all times while on a state owned or leased premise.
 3. No LTC - A Board Member or employee who does not have a valid LTC may not carry a handgun on state owned or leased premises.
- B. LTC Revoked or Suspended - The Board Member or employee shall fulfill all the statutory requirements to maintain a valid LTC. If a Board Member or employee's LTC is revoked or suspended, the Board Member or employee shall immediately notify their supervisor, who shall notify the Presiding Officer. The Presiding Officer shall rescind the authorization for the Board Member or employee to carry a handgun on state owned or leased premises.

C. Handgun Discharge - A Board Member or employee shall immediately notify their supervisor if their handgun is drawn or discharged *on* state owned or leased premises.

1. The Board Member or Office Manager shall notify the Presiding Officer and the Texas Facilities Commissions assigned property manager.

2. If the discharge causes bodily injury or death, the Board Member or employee shall immediately contact emergency medical services, local law enforcement, and then their immediate supervisor, who shall notify the Presiding Officer and the Texas Board of Criminal Justice, Office of the Inspector General.

II. Public

A. A member of the public who has a valid LTC may carry a handgun when they enter and remain on a state owned or leased premise.

1. Notification – when the LTC holder arrives at the state owned or leased premise, the LTC holder will check the LTC box on the sign in sheet if the LTC holder is carrying a handgun. The LTC holder shall keep the handgun on their person at all times while on the state owned or leased premise.

2. The LTC holder shall receive a copy of this policy.

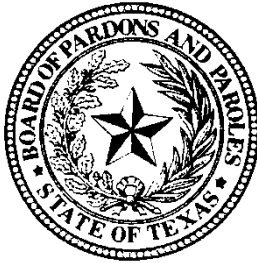
3. No LTC – a member of the public who does not have a LTC shall not carry a handgun on the state owned or leased premise.

B. Handgun Discharge – If a member of the public draws or discharges the handgun while on the state owned or leased premise, the Board staff shall immediately call law enforcement officials, notify the Presiding Officer and the Texas Facilities Commissions assigned property manager.

ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 21ST DAY OF APRIL, 2016.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

** Signature on file.*



Texas Board of Pardons and Paroles

Handgun Policy

Acknowledgement Form

I acknowledge receipt of a copy of the Texas Board of Pardons and Paroles (Board) Handgun Policy, BPP-POL. 141.300. I further acknowledge that I have read the Handgun Policy.

I affirm that I have a valid License to Carry (LTC) issued by the Texas Department of Public Safety authorizing an individual to carry a handgun. I agree to adhere to all the laws related to carrying a handgun and the procedures outlined in the Board’s Handgun Policy.

LTC Number

Signature

Print Name

Date