



Guns in the Workplace

Texans can carry handguns without a license or training starting September 1, 2021 after Governor Abbott signed the permit-less carry bill into law. House Bill 1927 eliminates the requirement for Texas residents to obtain a license to carry handguns if they're not prohibited by state or federal law from possessing a gun.

The new law does not change a governmental entity's inability to prohibit guns on its premises or its inability to post signage prohibiting guns. The Government Code, however, does allow Centers to bar employees from carrying guns. It states:

Guns can be prohibited in the following venues:

- Correctional facility
- Civil commitment facility
- Hospital licensed under H&SC 241
- Nursing home licensed under H&SC 242
- Mental hospital as defined by HSC 571.003
- Amusement park
- In the room where an open meeting is occurring

The new law adds the term civil commitment facility to the prohibited list. It is defined by another section of the penal code to mean an inpatient treatment facility for sex offenders but 46.03 doesn't tie civil commitment facility to this definition as it does "hospital" or "mental hospital".

There are also some conflicting state regulations for our facilities. Substance abuse facilities are prohibited from allowing weapons on the premises. 25 Texas Administrative Code 448.505 states:

(h) The facility shall prohibit firearms and other weapons, alcohol, illegal drugs, illegal activities, and violence on the program site or at or during the course of any program activity, except as provided for in paragraphs (1) and (2) of this subsection. The facility shall be responsible for any noncompliance with this subsection.

(paragraphs 1 and 2 refer to clergy bringing in wine for communion)

Item V. of the performance contract also has standards for extended observation facilities. It states in part:

vi. Ways of making the environment safe including: limiting access to weapons or other means of harm to the individual or others; and limiting the use, misuse, or

abuse of harmful substances, including prescription and non-prescription medications.

Tips for Centers:

- Use the “civil commitment facility” designation to prohibit weapons.
- Put signs up on your CSUs, extended observation facilities and SUDs units.
- Ask people who bring guns in to please leave them at home or in their vehicles.
- If a client refuses, offer video services.