

# **Weapons on City Property Informational Briefing**

**ESB-MACC Board**

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Presented by:  
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- Texans may not carry, and usually may not possess certain prohibited weapons
  - Machine gun
  - Sawed off shotgun
- Texans may carry lawful weapons subject to restrictions based on the type of weapon
  - Long Guns (rifles/shotguns)- few restrictions
  - Handguns carried by a licensed holder- some restrictions
  - Handguns carried by non-license holders- substantial restrictions

## **Overview of Texas Laws on Guns**

**State Law expressly allows  
a license holder to carry a handgun  
in most public areas of City facilities**

**Overview of Texas Laws on Guns**

- Very little has changed
- HB 910- Open Carry Handguns (effective 1/1/16)
  - Removes the “concealed only” limitation
  - A license holder may carry a handgun visibly, in a shoulder or belt holster, or still carry it concealed
  - No other changes to existing handgun carry laws
- SB 273- Concealed Handgun Signs (effective 9/1/15)
  - Creates penalties against cities that post improper signage
  - No other changes to existing handgun carry laws

## Gun Law Changes

- After January 1, 2016, handguns can be carried by the public either open or concealed
- A handgun may be visible that previously would have been concealed
- Any signage concerning weapons must be approved by Building Security to ensure compliance with SB 273

## Changes

**Members of the public may only bring weapons into City buildings and facilities as permitted by law. That is handguns must be concealed or properly holstered by the licensed carrier in a public area**

- Public areas= members of the public can present without expressed written permission of City (parks, parks buildings, libraries, plazas, building lobbies, public restrooms, etc.)
- Non-public area= members of the public need express permission to be present (offices, restricted floors, under specific conditions classrooms in use for registered program participants, etc.)

**General Rules for the Public**

- City Court Facilities (Municipal Court, Downtown Austin Community Court, City Hall)
- City Council Meetings (with proper notice)
- City Boards and Commission Meetings (with proper notice)
- Polling places (only on election day or early voting days)
- Austin Bergstrom International Airport (secure areas only)
- \*A city facility where a school is conducting an activity\*

**Guns Prohibited by Law**

- Public Area Carry – no action required
- Non-public Area Carry
  - Request individual remove and store the handgun before entering the non-public area
  - Employees are not to store weapons
  - Choose to conduct business in public area
  - Post signage designating non-public areas (Building Security to assist with signage)

## **Employee Expectations**

- If an individual is disruptive, ask the individual to stop the behavior
- If individual refuses to stop, may ask the individual to leave the property
- If individual refuses or if behavior presents an immediate danger, employee should seek law enforcement assistance (call 911)

## **Employee Expectations**

- The grounds of the ESB-MACC and the interior spaces of the ESB-MACC that are open to the public are open to licensees carrying handguns
- Except for the few, narrow exceptions made by state law, the City of Austin and/or Austin City Council has essentially no authority to prohibit a license holder from carrying a handgun in an area that is otherwise open to the public

## Summary

Board questions will be documented and forwarded to the City Law Department for response.

**Questions?**