



Institutional Handbook of Operating Procedures
Policy 08.02.09

Section: Health, Safety, and Security	Responsible Vice President: UTMB Chief of Police
Subject: Security Policies	Responsible Entity: UTMB Police Department

I. Title

Concealed Handguns on UTMB Campus.

II. Policy

- A. This policy provides the rules that govern the concealed carry of handguns on the campus of the University of Texas Medical Branch (UTMB) in compliance with [§411.2031 of the Texas Government Code](#).
- B. A person with a handgun license (license holder), issued pursuant to §411 of the Texas Government Code, may carry a concealed handgun on his or her person or in a closely controlled manner on the campus of UTMB, except excluded areas listed in section IV below. Individuals who are not license holders are prohibited from carrying a concealed handgun anywhere on UTMB Campus.
- C. Carrying an unconcealed handgun anywhere on the campus of UTMB is restricted to authorized Peace Officers and other persons designated by appropriate law enforcement agencies.
- D. This policy applies to faculty, staff, students, contractors, employees, volunteers, patients, and visitors. Commissioned Peace Officers are exempt from the provisions of this policy.
- E. Violation of this policy may result in disciplinary action up to and including termination for employees; a termination of employment relationship in the case of contractors or consultants; or suspension or expulsion in the case of a student. Additionally, individuals may be subject to loss of access privileges and criminal prosecution.
- F. Patients and visitors found to be in violation of this policy may be subject to exclusion from UTMB Campus, temporary safe-holding of the handgun by UTMB police, and criminal prosecution.

III. Guidelines for Concealed Carry on UTMB Campus

A concealed handgun in the possession of a license holder on UTMB Campus must remain concealed:

- A. In a holster that attaches to the body; or
- B. Carried in a closely controlled object in a holster or trigger-locked condition.

IV. Excluded Areas

Carrying of a concealed handgun in the following buildings or facilities is strictly prohibited. Carrying handguns in these areas is incompatible with the local environment or the discharge of a handgun has the potential to cause unexpected or widespread catastrophic harm, or irreplaceable loss.

- A. Patient Care Areas
Due to the nature of UTMB Campus as an academic medical center, the carrying of a concealed handgun in patient care areas on UTMB Campus is prohibited. Concealed handguns are not permitted in any building with patient-care areas controlled by UTMB, including Galveston, League City, Angleton-Danbury, and Clear Lake campuses and clinics.
- B. Laboratory Areas: Laboratory areas may house volatile, explosive, chemical, or biological agents, animal subjects or incompatible equipment, such as magnetic resonance imaging, which increase the risk of catastrophic harm in the event of the discharge of a handgun. The prohibition includes the Galveston National Laboratory (GNL).
- C. Animal Care Areas: Animal care areas typically have strict protocols for entering and exiting the facility, including requirements for protective clothing and sterile gloves. Primates have the ability to grab and manipulate objects. Animals carry viruses and bacteria that can be pathogenic to humans. Careful control over all objects is therefore required in these facilities.
- D. Buildings and Structures Providing Critical Utility Services to Patient Care Areas: Damage to critical utility systems due to the discharge of a handgun creates an unacceptable risk to UTMB's clinical mission and to patient safety.
- E. Health Care Training Simulation Centers and Anatomy Facilities: Similar to patient care areas, the environment of many of UTMB's Health Care Training Simulation Centers and Anatomy facilities is incompatible with concealed carry of handguns. If a simulation center or anatomy facility is excluded, a sign will be posted in accordance with this policy and the law.
- F. Moody Medical Library: The Moody Medical Library houses collections of unique, historical, and irreplaceable items and the risk of irreplaceable loss due to the discharge of a handgun is heightened.
- G. UTMB Alumni Fieldhouse: Carrying of a handgun is incompatible with participation in the activities of exercise, sports, and swimming and creates an unacceptable risk of negligent discharge.
- H. Leased Space: Carrying of handguns is prohibited in leased space as follows:
 - 1. Any premises leased to UTMB (Lessee) by a third party (Lessor) from which the Lessor has excluded concealed handguns as permitted by law; and
 - 2. Any premises leased to a third party (Lessee) by UTMB (Lessor) from which the Lessee prohibits handguns as permitted by law.

V. Signage and Notification for Exclusion Areas

- A. Major entrances to UTMB buildings or facilities where concealed carry of handguns is excluded will display conspicuous signage that is clearly visible to the public and in accordance with Texas law. (Texas Penal Code 30.06 and 30.07)
- B. Notwithstanding the signage requirements, verbal communication of the exclusion will be considered notice to an individual that concealed carry in the building or facility is prohibited.

VI. Storage of Handguns on Campus

It is the responsibility of the license holder to know and follow all applicable state and federal laws. A license holder lawfully carrying a concealed handgun on UTMB Campus is responsible for secure storage of that handgun when it is not on his or her person. Storage of a handgun is not allowed on UTMB Campus except as outlined below:

- A. License holders are permitted under Texas law to store or transport a firearm or ammunition in a locked, privately owned or leased vehicle in parking lots, garages, and other parking areas located on the campus of the institution. Handguns stored in personal vehicles should be stored in a position that is not visible, and its presence cannot be discernable through ordinary observation of a reasonable person.
- B. UTMB affiliated license holders, who lease space in the UTMB housing facilities may possess handguns in his or her housing unit. Such handguns must remain concealed on the license holder's person or securely stored as specified below. If the housing unit is shared with one or more other leaseholders, storage of the handgun must occur in the license holder's bedroom.
 - Storage of handguns in UTMB housing facilities must be secured in a gun safe compliant with the following storage requirements:
 - Handgun must be fully contained;
 - Exterior walls of the gun safe must be constructed of a minimum of 16-gauge steel; and
 - The safe must have a high-strength locking system consisting of a mechanical or electronic combination or biometric lock. Key locks are unacceptable.

VII. Violations and Penalties

The following activities represent violations of the policy and may result in criminal penalties:

1. Possession of a handgun without a handgun license on their person;
2. Possession of a handgun that is unconcealed, other than accidental and momentary revealing;
3. Possession of a handgun that is not holstered, or if in a closely controlled object, that is not holstered or trigger-locked;
4. Loss of close control of a handgun;
5. Brandishing or threatening behavior with a handgun;
6. Possession of a handgun in an excluded area;
7. Improper storage of a handgun;
8. Possession of a weapon on campus while intoxicated;
9. Accidental or deliberate discharge of a handgun.

VIII. Inquiry of License Holder or Carrying Status

- A. If a license holder is carrying a handgun on UTMB Campus and a UTMB police officer, or any other licensed law enforcement officer demands the license holder display identification, the license holder must display both the concealed handgun license and a valid driver's license or identification card.
- B. Faculty, staff, and students, with the exception of members of the UTMB police, should not inquire as to whether any person is carrying a concealed handgun or possesses a concealed handgun license and contact UTMB Police if they suspect a violation of law or policy.

IX. Reporting Alleged Violations

The primary responsibility of enforcement of this policy lies with the UTMB Police Department. Disputes, concerns, or reports of violations of this policy should be immediately communicated to the UTMB Police Department, which enforces Texas law and UTMB policy, as appropriate. UTMB Police will notify UTMB Human Resources in writing of all employee violations.

X. Report to Texas Legislature

As required by law, UTMB will submit a copy of this policy and the justification used for development of this policy to the Texas Legislature by September 1st of even numbered years.

XI. Appeals

Appeals may be filed regarding specific provisions of this policy. Appeals are only accepted from faculty members, employees, or students. Unaffiliated individuals, contractors, volunteers, or temporary employees may not appeal this policy. Appeals must be filed in writing and will be sent to the UTMB Chief of Police. Upon receiving a written appeal, the Chief of Police will acknowledge receipt of the appeal in writing and will request that the appeal be placed on the agenda for the next Institutional Safety and Security Committee meeting. The Institutional Safety and Security Committee will hear the appeal and either deny, approve, or modify the appeal. If any modification of the policy is recommended, the Chief of Police will be directed by the Committee to prepare the modification for review and approval as per Institutional Handbook of Operating Procedures Policy 01.01.03 "*Institutional Policy Development, Approval and Maintenance.*"

XII. Definitions

Campus: All land and buildings owned or leased by UTMB, including parking areas or facilities, sidewalks and public streets within the boundaries of the campus.

Concealed: A handgun in the possession of a license holder, which is not visible, and its presence cannot be discernable through ordinary observation by a reasonable person. A handgun that is discernable under semi-transparent or silhouetting/form-fitting covers, which reveal the obvious outline of a handgun, is not concealed.

On-person: A handgun in the possession of a license holder in a holster attached to the body.

Closely controlled: A handgun in the possession of a license holder in an object such as a purse, briefcase, or backpack under their immediate control and carried in a holstered or trigger-locked condition. A license holder who places such an object down and walks away from it has ceased to be "closely-controlling" it.

Patient Care Area: A facility where a formal record of treatment is maintained.

Law Enforcement Official: Includes properly licensed and commissioned local, state and federal law enforcement officers.

License Holder: An individual who has been issued a handgun license pursuant to §411 of the Texas Government Code, including those individuals holding a concealed handgun license from another state with a valid reciprocal or unilateral agreement between the issuing state and the state of Texas.

XIII. Relevant Federal and State Statutes

[Carrying of Handguns by License Holders on Certain Campuses §411.2031 of the Texas Government Code.](#)

XIV. Dates Approved or Amended

<i>Originated: 08/01/2016</i>	
<i>Reviewed with Changes</i>	<i>Reviewed without Changes</i>
10/22/2020	

XV. Contact Information

UTMB Police Department
(409) 772-1503