34.06.02.P1 Weapons, Handguns, and Other Firearms

Approved (September XX, 2010)
Next Scheduled Review (September 2011)
Supplements System Policy 34.06 and System Regulation 34.06.02

1. RULE STATEMENT

1.1 The Texas Penal Code prohibits possession of firearms, illegal knives, clubs, or prohibited weapons, as defined in the Penal Code Section 46.03 (a) on the physical premises of a school or educational institution. This prohibition includes individuals licensed to carry a concealed handgun.

1.2 Premises as used in this procedure means a building or portion of a building.

2. REASON FOR RULE

2.1 The purpose of the Weapons, Handguns, and Other Firearms Rule is to support the Texas Penal Code Section 46.03 (a), TAMUS System Regulation 34.06.02, the Prairie View A&M University Code of Student Conduct, Prohibited Conduct (H), and to communicate the prohibition of possessing firearms, illegal knives, clubs, or other prohibited weapons on University premises or grounds.

2.2 Students, faculty, or staff who violate this provision may be subject to University discipline in addition to criminal action.

3. RESTRICTIONS

3.1 Firearms, illegal knives, clubs, and other prohibited weapons as defined above and in the Texas Penal Code are not permitted on or in:

3.1.1 the physical premises of Prairie View A&M University,

3.1.2 any grounds or building (or portion of a building) on which an activity sponsored by the University, or University recognized groups, is being conducted,

3.1.3 a passenger transportation vehicle of a school or educational institution.

4. EXCEPTIONS
4.1 Any person who possesses a current Texas Peace Officers license issued by the Texas Council on Law Enforcement Standards and Education who is enrolled as a student, staff or faculty or adjunct faculty of the University may be allowed to carry a firearm while in plain clothing or while in uniform, within the confines of and as prescribed by his/her agency or department's policies and the laws of the State of Texas.

4.2 Armored car couriers within the course and scope of their employment who wear a distinctive uniform and the firearm or club in plain view.

4.3 A request for an exception to this University Rule must be approved in advance by the Chief of the Prairie View A&M University Department of Public Safety. The request must be in writing and must:

4.3.1 state the justification for the exception. The circumstances under which a person may seek an exception to possess a concealed handgun or firearm are:

4.3.1.1 during University approved hunter or firearm safety courses,

4.3.1.2 during approved military weapons training.

5. RELATED STATUTES, POLICIES, OR REQUIREMENTS

5.1 Texas Penal Code Section 46.03 (a)
5.2 System Policy 34.06
5.3 System Regulation 34.06.02

6. DEFINITIONS OF PROHIBITED WEAPONS

6.1 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.

6.2 Illegal knives – Knives with a blade over five and one-half inches, hand instruments designed to cut or stab another by being thrown, dagger, bowie knife, sword, or spear.

6.3 Explosive weapon – Any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death or property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and including any device designed, made or adapted for delivery or shooting an explosive weapon.

6.4 Machine gun – Any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.
6.5 Short-barrel firearm – A rifle with a barrel length of less than sixteen inches or a shotgun with a barrel length of less than eighteen inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than twenty six inches.

6.6 Switchblade knife – Any knife that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force, but not a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife.

6.7 Knuckles – Any instrument consisting of finger rings or guards made of a hard substance that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

6.8 Armor-piercing ammunition – handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers.

6.9 Chemical dispensing devices – Any device other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being.

6.10 Zip gun – A device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

6.11 Club – An instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and a tomahawk.

7. PENALTIES

7.1 Failure to obtain advance written authorization for an exception to this University Rule may result in criminal charges and/or disciplinary action.

Contact Office: Department of Public Safety at (936) 261-1375