

## **Senate Bill 321 (82<sup>nd</sup> Leg. R.S.)**

Senate Bill 321 amends the Labor Code to prohibit a public or private employer from prohibiting an employee who holds a concealed handgun license issued by the Department of Public Safety or who otherwise lawfully possesses a firearm or ammunition from transporting or storing a firearm or ammunition the employee is lawfully authorized to possess in a locked, privately owned motor vehicle in a parking area the employer provides for employees, with certain exceptions.

The bill specifies that the prohibition does not prohibit an employer from prohibiting an employee who holds a concealed handgun license, or who otherwise lawfully possesses a firearm, from possessing a firearm the employee is otherwise authorized by law to possess on the premises of the employer's business. "Premises" has the meaning provided in Penal Code Section 46.035(f)(3).

The bill provides immunity from civil liability for a public or private employer or the employer's principal, officer, director, employee, or agent for any damages resulting from or arising out of an occurrence involving a firearm or ammunition transported or stored in accordance with the bill's provisions, except in cases of gross negligence, and establishes that such immunity does not limit or alter the personal liability of an individual or employee who engages in certain actions involving a firearm or ammunition.

The bill amends Section 411.203 of the Government Code (which addresses the rights of employers to prohibit employees from carrying on the premises of the business) to incorporate the definition of "premises" provided in Penal Code Section 46.035(f)(3)).