

## New Campus Weapons Policy

One of the most newsworthy bills passed by the Alabama legislature during the recent legislative session is what has become known as the “omnibus gun bill.” This bill (Act 2013-283) actually amends (and in one instance repeals) ten different statutory provisions in the current Code of Alabama and adds several “stand-alone” provisions as well. The result is a complex piece of legislation that attempts to address a number of different issues while establishing a standard state-wide policy protecting the Constitutional “right to keep and bear arms.” It became effective August 1, 2013.

Several provisions in the bill affect the University in its roles as employer, as the owner of property, and, in at least one instance, as a public institution of higher education. In response to the legislation, attorneys from the three University of Alabama System institutions have worked together to develop a new, uniform weapons policy applicable to their respective campus communities. Attorneys representing other colleges and universities were consulted in this process, as well as the Attorney General’s office. The policy is now in effect.

Under the bill and under the new University policy, employees are not permitted to have a firearm in their possession at any time while engaged in employment duties. Consistent with the statute, however, an employee under the policy may have a lawfully possessed firearm in his/her vehicle while it is operated or parked in an authorized UAH parking area, as long as the employee has a concealed weapon permit. An unloaded hunting firearm may also be kept in an employee’s vehicle under certain, specified conditions.

Students are generally prohibited from possession of a firearm while on campus, which squares with the intent of the present Code of Conduct provision. The only exception is that a resident student may bring to campus a firearm for hunting or sporting purposes but it must immediately be delivered to the University police for safe storage.

Visitors to certain University buildings may be prohibited from having firearms in their possession. The statute and the policy bar firearms from any facility or location that limits access by means of a guard and other security features (*e.g.*, a key card, physical barrier, etc.). A UAH residence hall, which uses both an attendant and a key card system, would thus qualify as a “no firearms” area for visitors. A non-student, non-employee who has no legitimate reason for being on campus and who is carrying a firearm is subject to being questioned by campus police and instructed to leave the campus.

The new law has generated considerable discussion and raised a number of questions. Its full impact may not become evident until law enforcement officials, property owners, employers, and other affected parties have had the opportunity to acquire more experience with it.