

USG guidance for House Bill 280

May 25, 2017

[Dean's office](#)

Below please see the guidance from the University System Chancellor regarding the implementation of House Bill 280. The law takes effect July 1.

Please direct your questions about this bill to legal@uga.edu.

TO: The University System of Georgia Community
FROM: Chancellor Steve Wrigley
DATE: May 24, 2017
RE: House Bill 280

House Bill 280, commonly known as the "campus carry" legislation, will take effect on July 1. I understand that many of you have strong feelings about this bill. Yet, whether you opposed or supported the legislation, it will soon be state law, and I respectfully ask everyone to exercise patience, understanding, and respect as we implement it. We all share the same goal of ensuring a safe campus environment. We should work together to implement the law as written and thoughtfully address any complications that may arise.

Below are guidelines developed by the Office of Legal Affairs for the implementation of House Bill 280 that must be followed on all University System campuses beginning on July 1.

While current law already allows license-holders to keep weapons secured in motor vehicles, beginning on July 1, House Bill 280 will allow anyone who is properly licensed in the State of Georgia to carry a handgun in a concealed manner on property owned or leased by public colleges and universities, with some exceptions as explained below. It will not allow any other type of gun to be carried around campus; nor will it allow handguns to be carried openly. (House Bill 280 does not apply, however, to institution-sponsored events or excursions away from campus on property not owned or leased by a University System institution.)

The statute defines concealed as "carried in such a fashion that does not actively solicit the attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others." A license-holder therefore may carry a handgun while it is substantially ("but not necessarily completely") covered by an article of clothing he or she is wearing, or contained within a bag ("of a nondescript nature") he or she is carrying, or in another similar manner that generally keeps it out of the view of others.

There are a number of exceptions to the new law that limit the places on campus where handguns may be carried. Even license-holders may not carry a handgun into the following locations on college/university-owned or leased property:

- Buildings and property used for athletic sporting events. This exception includes stadiums, gymnasiums and similar facilities in which intercollegiate games are staged (but does not extend to so-called "tailgating" areas where fans may congregate outside the gates of the sports facility). It does not extend to student recreation centers and similar facilities that are not used for intercollegiate games.
- Student housing facilities including residence halls and similar buildings where students live such as fraternity and sorority houses. (Note that any housing that is not on property owned or leased by a University System institution is not covered by House Bill 280.)

- Spaces—including any room, continuous collection of rooms or outdoor facility—that are used for preschool or childcare. In order to qualify, preschool and childcare spaces must have controlled access (meaning access via personnel stationed at the door or an electronic mechanism) limited to authorized people.
- Rooms and other spaces during the times when they are being used for classes in which high school students are enrolled, whether through dual enrollment and programs such as Move On When Ready or through college and career academies or other specialized programs such as Early College. License-holders who want to carry handguns to class will need to visit the institution's registrar or other designated employee, who after verifying their enrollment status will tell them which of their classes, if any, have high school students enrolled. Institutions shall not, however, keep any listing of those who inquire. (Note also that the names of enrolled high school students may not be revealed in accordance with applicable privacy laws.) It is the responsibility of license-holders to seek out this information and make themselves aware of which classrooms fall within this exception.
- Faculty, staff, and administrative offices. This exception includes offices and office suites occupied by faculty, staff and administrators but does not include more general public common spaces outside of those areas.
- Rooms during the times when they are being used for disciplinary proceedings of any kind, including those regarding students, faculty, or staff. These would include any meetings or hearings that are part of the University System's or the institution's sexual misconduct, student conduct, dispute resolution, grievance, appeals or similar processes.

Under the new law, it is a misdemeanor crime for a license-holder to carry a handgun "in a manner or in a building, property, room, or space in violation of" these provisions. Doing so also may be a violation of the institution's student code of conduct and personnel rules. It will be the responsibility of those license-holders who choose to carry handguns on campus to know the law and to understand where they can go while carrying. Institutions will not provide gun storage facilities or erect signs outside restricted areas.

Each institution will need to review its campus conduct and weapons policies to ensure that they comply with these changes to the law. While House Bill 280 provides for specific exceptions where handguns may not go, it does not give individual institutions discretion to bar or further limit handguns on their campuses. Institutions therefore may not place additional restrictions or prohibitions on the carrying of handguns beyond those contained in the law. Neither should anyone else attempt to interfere with the ability of license-holders to carry concealed handguns on campus.

It is incumbent upon each of us to follow the law. Students, faculty, and staff should not attempt themselves to monitor or to enforce compliance with the statute by those who do carry handguns. Only law enforcement personnel, including the University System's more than 800 POST-certified officers, will be responsible for enforcing the law. If others have concerns or questions, they should contact their campus law enforcement departments. In the coming weeks, the University System Office of Safety and Security will be providing training to campus law enforcement officers.

Our mission remains unchanged before and after July 1. Thank you for all that you do for the University System of Georgia.