

Memo

To: Pastors, Administrators, and others responsible for the Administration of Church Property in the Archdiocese of San Antonio
From: Fr. Martin J. Leopold, Moderator of the Curia
Re: Archdiocesan Firearm Policy
Date: February 1, 2016

The Texas legislature adopted House Bill 910 in 2015, which permits licensed carriers to openly carry handguns. The law took effect on January 1, 2016.

HB 910 changes current law related to licensed carriers of concealed handguns to permit licensed carriers to either openly carry properly holstered handguns or to carry concealed handguns.

A licensed carrier may still not carry a handgun, concealed or openly, on a school campus (this does not apply to colleges and universities).

A church may prohibit concealed handguns or openly-carried handguns, or both, in its buildings by providing proper notice.

If one wants to use signs to prohibit both concealed and openly-carried handguns, then one would have to post two signs, both in English and Spanish at the public entrances to the property. This requirement is burdensome, and it is not our expectation that parishes and other church agencies post these signs. If a location wishes to post these signs, it is required that they first discuss the matter with the Archdiocesan Risk Management office, which will support a parish's or agency's reasonable initiatives.

It is the policy of the Archdiocese of San Antonio that an individual may not possess a firearm, concealed or openly carried, at any facility owned, leased, or operated by the Archdiocese or an Archdiocesan entity. Peace Officers commissioned by local, state or federal agencies are exempt from this restriction.

This Policy does not prohibit clergy from lawfully and securely possessing a weapon in their residence which may be owned, leased, or operated by the Archdiocese, nor does it prohibit an individual from possessing a firearm in a locked vehicle parked in or traveling through a parking area.

This policy is to be communicated through parish bulletins, parish and archdiocesan websites, and through face-to-face notice as an announcement in each parish. Appropriate written and verbal announcements are included with this policy.

Additionally, if a pastor or agency director is faced with a situation where a licensed carrier brings a gun into a church building, a parish representative may give face-to-face notice, asking the individual to leave or take her or his gun home. This face-to-face conversation would be effective notice under the statute, though the office of risk management is also to be informed so that they can follow up with a certified letter providing the statutory notice. A subsequent violation would be subject to criminal penalties.

Appendix

Notice to be Given:

Oral notice to be given as an announcement during each Sunday Mass in the parish at all Masses on the weekend of February 13 and 14.

For the peace of mind of our church family, we want to inform you that individuals may not enter church property with a firearm. We appreciate your compliance with this policy.

Written notice to be carried in Parish Bulletins on the weekend of February 13 and 14. Beyond this weekend, the statutory notice is to remain on parish and archdiocesan websites, as well as posted in the parish either as an ongoing part of the bulletin or on an appropriate bulletin board. Whenever it is put in writing, it must be published in its entirety. The language of this notice can additionally be found in digital format at www.archsa.org:

For the peace of mind of our church family, we want to inform you that individuals may not enter church property with a firearm. We appreciate your compliance with this policy.

PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CON FORME A LA SECCION 3006 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO.

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CON FORME A LA SECCION 3007 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE LICENCIA DE PORTAR ARMAS, NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO AL AIRE LIBRE.

This Policy does not prohibit clergy from lawfully and securely possessing a weapon in their residence which may be owned, leased, or operated by the Archdiocese, nor does it prohibit an individual from possessing a firearm in a locked vehicle parked in or traveling through a parking area.