

BILL ANALYSIS

Senate Research Center
80R11933 JPL-D

H.B. 2112
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Criminal Justice
5/18/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Section 37 (Discipline; Law and Order), Education Code, does not include parking lots and parking garages in the list of premises on which a person is prohibited from intentionally, knowingly, or recklessly possessing a firearm. As a result, the language does not specifically allow for a district attorney to prosecute a person possessing a firearm on school property not defined as the premises, such as parking lots.

H.B. 2112 prohibits the possession of a firearm if a person intentionally exhibits, uses, or threatens to exhibit or use a firearm in a manner intended to cause alarm or personal injury to another person or to damage school property in or on any property, including a parking lot, parking garage, or other parking area, that is owned by a private or public school, or on a school bus being used to transport children to or from school-sponsored activities of a private or public school.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 37.125(a), Education Code, to provide that a person commits an offense if, in a manner intended to cause alarm or personal injury to another person or to damage school property, the person intentionally exhibits, uses, or threatens to exhibit or use a firearm in or on any property, including a parking lot, parking garage, or other parking area, that is owned by a private or public school or on, rather than interferes with the normal use of a building or portion of a campus or of, a school bus being used to transport children to or from school-sponsored activities of a private or public school. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.