

BILL ANALYSIS

Senate Research Center

H.B. 1020
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Education
5/12/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Education Code requires the expulsion of a student from school for the student's use, exhibition, or possession of a firearm on school property or while in attendance at a school-sponsored or school-related activity on or off school property. This provision effectively precludes a student's participation in or preparation for school-sponsored shooting sports competition or other legitimately sanctioned shooting sports educational activities.

This bill prohibits the expulsion of a student solely on the basis of the student's use, exhibition, or possession of a firearm at an approved target range in the course of the student's participation in a school-sponsored shooting sports competition or a shooting sports educational activity sponsored or supported by the Texas Parks & Wildlife Department (TPWD) or by a sanctioning organization with TPWD.

H.B. 1020 amends current law relating to the use, exhibition, or possession of a firearm by public school students participating in certain school-sponsored programs and activities sponsored or supported by TPWD.

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 37.007, Education Code, by amending Subsection (a) and adding Subsections (k) and (l), as follows:

(a) Creates an exception under Subsection (k).

(k) Prohibits a student from being expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus and while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Texas Parks and Wildlife Department (TPWD) or a shooting sports sanctioning organization working with TPWD.

(l) Provides that Subsection (k) does not authorize a student to bring a firearm on school property to participate in or prepare for a school-sponsored shooting sports competition or a shooting sports educational activity described by that subsection.

SECTION 2. Provides that this Act applies beginning with the 2009-2010 school year.

SECTION 3. Effective date: upon passage or September 1, 2009.