

## **BILL ANALYSIS**

C.S.H.B. 1920  
By: Capriglione  
Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The secured area of an airport refers to the area of an airport terminal building to which access is controlled by the inspections of persons and property under federal law. State law makes it an offense to intentionally, knowingly, or recklessly possess or go with a weapon into or in such an area. The Air Operations Area (AOA) includes the portion of the airport where commercial airlines land, take off, or make surface maneuvers. In recent years, there have been growing concerns about the prospect of an insider attack on airports, including by way of the AOA. C.S.H.B. 1920 seeks to prevent potential insider attacks at airports in Texas by including aircraft parking areas around the airport terminal among the secured areas in which it is an offense to possess a weapon.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1920 amends the Penal Code to do the following with respect to the offense of possessing or going with a firearm, location-restricted knife, club, or certain prohibited weapon in or into a secured area of an airport:

- expand what constitutes a "secured area" to include an aircraft parking area that is used by common carriers in air transportation but not by general aviation and to which access is controlled under federal law;
- clarify that a secured area does not include a baggage claim area, a motor vehicle parking area used by passengers, employees, or persons awaiting an arrival, or an area used by the public to pick up or drop off passengers or employees; and
- establish as a defense to prosecution for that offense that the actor was authorized by a federal agency or the airport operator to possess a firearm in a secured area.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1920 differs from the original in minor or nonsubstantive ways to make a technical correction.