

BILL ANALYSIS

H.B. 2281
By: Hefner
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State law makes it an offense for a person to carry certain weapons on any grounds or building on which an activity sponsored by a school or educational institution is taking place. Although school-sponsored activities such as field trips, athletic events, and band competitions may occur on a premises that is not owned by or under the control of a school or institution, current law could be interpreted in such a way that carrying a weapon on those premises is nonetheless an offense. This could put Texans in a situation in which their possession of an otherwise legal weapon is an offense simply because a group of students are present on the same premises. H.B. 2281 seeks to provide that it is an offense to carry a weapon on the premises where an activity sponsored by a school or postsecondary institution is being conducted only if the premises is owned and operated by the school or institution.

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

H.B. 2281 amends the Penal Code to limit the grounds or building on which an activity sponsored by a school or educational institution is being conducted and on which the intentional, knowing, or reckless possession of or going with a firearm, location-restricted knife, club, or prohibited weapon constitutes an offense to grounds or buildings owned by and under the control of the school or institution. The bill clarifies that an educational institution, for purposes of such conduct, is a postsecondary educational institution, defined by the bill as a public, private, or independent institution of higher education. The bill defines "school" as an accredited primary or secondary school.

EFFECTIVE DATE

September 1, 2021.