

BILL ANALYSIS

Senate Research Center

C.S.S.B. 119
By: Ellis
Criminal Justice
4-18-97
Committee Report (Substituted)

DIGEST

Currently, Texas law enhances the punishment for certain offenses committed on or near school property, but the law provides a limited definition of "school." The definition fails to protect certain children. This bill will redefine "school" to include day-care centers, kindergarten, preschool, or after-school programs and Head Start facilities.

PURPOSE

As proposed, C.S.S.B. 119 provides a definition of "school" for the purpose of enhancing the punishment for certain offenses committed on or near school property.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 481.134(a)(5), Health and Safety Code, to redefine "school" as meaning a private or public elementary, secondary school, or day-care center, including facilities where a kindergarten, preschool, or after-school program is conducted as part of the school and facilities where federal Head Start services are provided.

SECTION 2. Amends Section 46.11(c), Penal Code, to redefine "school" as meaning a private or public elementary or secondary school. Makes conforming changes.

SECTION 3. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 2.

Amends Section 46.11(c), Penal Code, to redefine "school" as meaning a private or public elementary or secondary school. Redesignates subsequent SECTIONS. Makes conforming changes.