

BILL ANALYSIS

Senate Research Center

H.B. 1925
By: Haggerty (Staples)
Criminal Justice
5/9/2001
Engrossed

DIGEST AND PURPOSE

When Texas executes an offender whose case has attracted national media coverage, the execution site may draw protesters and supporters of the death penalty in addition to media representatives. A potentially dangerous situation could occur if individuals participating in demonstrations near the execution site display weapons. Current law does not prohibit such a display at an execution site. H.B. 1925 provides that it is an offense for a person to intentionally, knowingly, or recklessly possess or take a firearm, illegal knife, club, or prohibited weapon within 1,000 feet of premises the location of which is designated by the Texas Department of Criminal Justice as a place of execution.

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. Reenacts Section 46.03(a), Penal Code, as amended by Chapters 1043 and 1221, Acts of the 75th Legislature, Regular Session, 1997, and amends it to provide that a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon listed in Section 46.05(a) to certain locations, including within 1,000 feet of premises the location of which is designated by the Texas Department of Criminal Justice as a place of execution under Article 43.19, Code of Criminal Procedure, on a day that a sentence of death is set to be imposed on the designated premises and the person received certain notice.

SECTION 2. Amends Section 46.03, Penal Code, by adding Subsection (i), to provide that it is an exception to the application of Subsection (a)(6) that the actor possessed a firearm while in a vehicle being driven on a public road or at the actor's residence or place of employment.

SECTION 3. Effective date: September 1, 2001.
Makes application of this Act prospective.