

## **BILL ANALYSIS**

Senate Research Center  
83R16175 ADM-D

H.B. 1284  
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Criminal Justice  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Recently, there have been multiple instances of false bomb threats disrupting the normal course of business of some of the state's institutions of higher education. Interested parties argue that these bomb threats are disruptive, a waste of valuable resources, and potentially very dangerous. These interested parties contend that the danger arising from false bomb threats stems from the complacency that can set in as a result of them. When students and administrators must respond to false bomb threats on a regular basis, each new threat will seem less urgent. This means that in the event that a bomb threat is real, many more people could get hurt than would otherwise be the case.

H.B. 1284 seeks to alleviate this public safety risk, and to reduce the costs associated with colleges and universities being forced to respond to a large number of false bomb threats. It does this by bringing the penalty for false alarms on campuses of institutions of higher education in line with the penalty for false alarms in similarly crowded places, such as public schools and places of public transportation.

Additionally, this bill requires public and private institutions of higher education to notify incoming students of the penalty for making a false alarm or report as soon as practicable, extends the timeline for compliance with the notification requirement for private or independent institutions of higher education that are unable to comply with this requirement in a timely manner to August 1, 2014, and requires all public institutions of higher education to notify all enrolled students of the penalty of making a false alarm or report by October 1, 2013.

H.B. 1284 amends current law relating to the offense of making or causing a false alarm or report involving a public or private institution of higher education.

### **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 Subchapter E, Chapter 51, Education Code, by adding Section 51.219, as follows:

Sec. 51.219. NOTIFICATION OF PENALTY FOR FALSE ALARM OR REPORT. (a) Defines "institution of higher education" and "private or independent institution of higher education" in this section.

(b) Requires each institution of higher education and private or independent institution of higher education to notify all incoming students, as soon as practicable, of the penalty for the offense under Section 42.06 (False Alarm or Report), Penal Code, of making a false alarm or report involving a public or private institution of higher education.

(c) Provides that, notwithstanding Subsection (b), a private or independent institution of higher education is not required to comply with Subsection (b) if the

institution determines that providing notice as required by that subsection is not feasible. Provides that this subsection expires August 1, 2014.

(d) Requires each institution of higher education, not later than October 1, 2013, to notify all enrolled students of the penalty for the offense under Section 42.06, Penal Code, of making a false alarm or report involving a public or private institution of higher education. Provides that this subsection expires December 31, 2013.

SECTION 2. Amends Section 42.06(b), Penal Code, to provide that an offense under this section (False Alarm or Report) is a Class A misdemeanor unless the false report is of an emergency involving a public or private institution of higher education or involving a public primary or secondary school, public communications, public transportation, public water, gas, or power supply or other public service, in which event the offense is a state jail felony.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2013.