

By: Johnson, Herrero, Moody, Naishtat, Raney

H.B. No. 1284

Substitute the following for H.B. No. 1284:

By: Herrero

C.S.H.B. No. 1284

A BILL TO BE ENTITLED

AN ACT

relating to the offense of making or causing a false alarm or report involving a public or private institution of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 51, Education Code, is amended by adding Section 51.219 to read as follows:

Sec. 51.219. NOTIFICATION OF PENALTY FOR FALSE ALARM OR REPORT. (a) In this section, "institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003.

(b) Each institution of higher education and private or independent institution of higher education shall notify all incoming students, as soon as practicable, 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.

(c) 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. This subsection expires August 1, 2014.

(d) Not later than October 1, 2013, each institution of higher education shall notify all enrolled students of the penalty for the offense under Section 42.06, Penal Code, of making a false

1 alarm or report involving a public or private institution of higher
2 education. This subsection expires December 31, 2013.

3 SECTION 2. Section 42.06(b), Penal Code, is amended to read
4 as follows:

5 (b) An offense under this section is a Class A misdemeanor
6 unless the false report is of an emergency involving a public or
7 private institution of higher education or involving a public
8 primary or secondary school, public communications, public
9 transportation, public water, gas, or power supply or other public
10 service, in which event the offense is a state jail felony.

11 SECTION 3. The change in law made by this Act applies only
12 to an offense committed on or after the effective date of this Act.
13 An offense committed before the effective date of this Act is
14 governed by the law in effect on the date the offense was committed,
15 and the former law is continued in effect for that purpose. For
16 purposes of this section, an offense was committed before the
17 effective date of this Act if any element of the offense occurred
18 before that date.

19 SECTION 4. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2013.