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| BILL ANALYSIS |

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| H.B. 2880 |
| By: Dutton |
| Public Education |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE** According to interested parties, school resource officers have indicated the need for a criminal punishment for the threatened exhibition or use of a firearm in or on school property or on a school bus that recognizes the severity of the threat but also does not bring the lifelong consequences of a felony charge against a student. H.B. 2880 seeks to address that need by decreasing the penalty for such an offense from a third degree felony to a Class A misdemeanor, unless the actor was in possession of or had immediate access to a firearm. |
| **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. 2880 amends the Education Code to decrease from a third degree felony to a Class A misdemeanor the penalty for certain conduct constituting exhibition of a firearm involving intentionally threatening to exhibit or use a firearm in or on a property that is owned by a private or public school or on a school bus being used to transport children to or from private or public school-sponsored activities in a manner intended to cause alarm or personal injury to another person or to damage school property. The bill makes that conduct a third degree felony offense if the actor was in possession of or had immediate access to a firearm. |
| **EFFECTIVE DATE** September 1, 2017. |