

By: Dutton

H.B. No. 2880

A BILL TO BE ENTITLED

AN ACT

relating to the criminal punishment for the threatened exhibition or use of a firearm in or on school property or on a school bus.

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

SECTION 1. Section 37.125, Education Code, is amended to read as follows:

Sec. 37.125. EXHIBITION, USE, OR THREAT OF EXHIBITION OR USE OF FIREARMS. (a) A person commits an offense if, in a manner intended to cause alarm or personal injury to another person or to damage school property, the person intentionally:

(1) exhibits or [~~r~~] uses [~~, or threatens to exhibit or use~~] a firearm:

(A) [~~(1)~~] in or on any property, including a parking lot, parking garage, or other parking area, that is owned by a private or public school; or

(B) [~~(2)~~] on a school bus being used to transport children to or from school-sponsored activities of a private or public school;

(2) threatens to exhibit or use a firearm in or on property described by Subdivision (1)(A) or on a bus described by Subdivision (1)(B) and was in possession of or had immediate access to the firearm; or

(3) threatens to exhibit or use a firearm in or on property described by Subdivision (1)(A) or on a bus described by

1 Subdivision (1)(B).

2 (b) An offense under Subsection (a)(1) or (2) [~~this section~~]  
3 is a third degree felony.

4 (c) An offense under Subsection (a)(3) is a Class A  
5 misdemeanor.

6 SECTION 2. The changes in law made by this Act apply only to  
7 an offense committed on or after the effective date of this Act. An  
8 offense committed before the effective date of this Act is governed  
9 by the law in effect on the date the offense was committed, and the  
10 former law is continued in effect for that purpose. For purposes of  
11 this section, an offense was committed before the effective date of  
12 this Act if any element of the offense occurred before that date.

13 SECTION 3. This Act takes effect September 1, 2017.