

BILL ANALYSIS

C.S.H.B. 316
By: Howard
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Some estimates indicate that nearly 200,000 children in Texas live in homes with loaded and unlocked guns. According to the Centers for Disease Control and Prevention, in 2015 approximately 3,200 Texans died by incidents involving firearms, including a number of children. C.S.H.B. 316 seeks to prevent gun deaths and increase gun awareness and safety by requiring the Department of Public Safety to develop and implement a public awareness campaign designed to encourage firearm safety and to improve public awareness on topics regarding the prevention of firearm accidents involving children, suicide prevention, and the safe handling and storage of firearms.

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

C.S.H.B. 316 amends the Government Code to require the Department of Public Safety (DPS), in conjunction with the Department of State Health Services (DSHS), the Parks and Wildlife Department (TPWD), and other appropriate agencies, to develop and implement a public awareness campaign designed to encourage firearm safety and to improve public awareness on the topics of prevention of firearm accidents involving children, suicide prevention, and the safe handling and storage of firearms. The bill authorizes DPS, in implementing the campaign, to engage in online advocacy, to issue public service announcements, and to distribute materials that cover the topics of the public awareness campaign. The bill authorizes DPS to publish its own materials on those topics or to distribute materials published by firearm safety education programs that seek to encourage firearm owners to embrace the importance of firearm storage. The bill authorizes DPS to pay the costs of the campaign and its administration from gifts, grants, or donations, matching funds, and other funds made available for that purpose, including available DPS revenue.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 316 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision requiring DPS to develop and implement the public awareness campaign in conjunction with DSHS, TPWD, and other appropriate agencies.

The substitute does not include the authorization for DPS to establish a process for an applicant for a handgun license to make a voluntary donation to support the campaign.

The substitute changes the materials that DPS may distribute from materials published by firearm safety advocacy organizations to materials published by certain firearm safety education programs.