

BILL ANALYSIS

Senate Research Center
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H.B. 781
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A public junior college school marshal is required to store a handgun on campus premises in a locked safe at all times. It has been suggested that prohibiting a school marshal from carrying a handgun on their person may limit their ability to respond to an emergency situation in a timely manner. H.B. 781 seeks to address this issue by ensuring that a school marshal for a public junior college has greater access to a handgun while on duty.

H.B. 781 amends current law relating to the carrying and possession of a handgun by a public junior college school marshal.

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 Section 51.220(e), Education Code, as follows:

(e) Provides that any written regulations adopted for purposes of Subsection (d) (relating to authorizing a school marshal to carry or possess a handgun on the physical premises of a public junior college campus under certain conditions):

(1) are required to authorize a school marshal to carry a concealed handgun as described by Subsection (d) and require a handgun carried or possessed by a school marshal to be loaded only with frangible duty ammunition approved for that purpose by the Texas Commission on Law Enforcement (TCOLE); and

(2) are prohibited from requiring a school marshal to store the handgun in a locked container while on duty.

Deletes existing text providing that any written regulations adopted for purposes of Subsection (d) are required to provide that a school marshal is authorized to carry a concealed handgun as described by Subsection (d), except that if the primary duty of the school marshal involves regular, direct contact with students, the marshal is prohibited from carrying a concealed handgun but is authorized to possess a handgun on the physical premises of a public junior college campus in a locked and secured safe within the marshal's immediate reach when conducting the marshal's primary duty. Deletes existing text requiring that the written regulations also require that a handgun carried by or within access of a school marshal is authorized to be loaded only with frangible duty ammunition approved for that purpose by TCOLE.

SECTION 2. Provides that this Act applies beginning with the 2021-2022 academic year.

SECTION 3. Effective date: upon passage or September 1, 2021.