

BILL ANALYSIS

Senate Research Center
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S.B. 287
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Unfortunately, we have seen an uptick in threats to schools across the state. Law enforcement takes these threats very seriously, but they need additional tools to ensure that those who make legitimate threats against our children and educators are held accountable. The current language of the terroristic threat statute classifies a threat as a misdemeanor unless the threat poses a substantial portion of the broader public in fear, or the suspect specifically threatens to use a weapon or brings a weapon to school grounds. This gap in the statute poses a public safety risk to every community.

S.B. 287 changes the terroristic threat statute so that legitimate threats that disrupt the activities of a childcare facility, school, or institution of higher education can be charged as a third-degree felony.

As proposed, S.B. 287 amends current law relating to the prosecution of the offense of terroristic threat.

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 22.07(a), Penal Code, as follows:

(a) Provides that a person commits an offense if the person threatens to commit any offense involving violence to any person or property with intent to:

(1) makes a nonsubstantive change to this subdivision;

(2)-(5) makes no changes to these subdivisions; or

(6) influence the conduct or activities of:

(A) creates paragraph from existing text;

(B) a child-care facility;

(C) a public or private primary or secondary school; or

(D) an institution of higher education or a private or independent institution of higher education.

Makes a nonsubstantive change.

SECTION 2. Amends Section 22.07(f), Penal Code, by amending Subdivision (1) and adding Subdivisions (1-a) and (4) to define "child-care facility," "institution of higher education," and "private or independent institution of higher education" and to make a nonsubstantive change.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2023.