

1-1 By: Dutton (Senate Sponsor - Menéndez) H.B. No. 2880
 1-2 (In the Senate - Received from the House May 8, 2017;
 1-3 May 10, 2017, read first time and referred to Committee on Criminal
 1-4 Justice; May 19, 2017, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 19, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the criminal punishment for the threatened exhibition
 1-20 or use of a firearm in or on school property or on a school bus.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 37.125, Education Code, is amended to
 1-23 read as follows:

1-24 Sec. 37.125. EXHIBITION, USE, OR THREAT OF EXHIBITION OR
 1-25 USE OF FIREARMS. (a) A person commits an offense if, in a manner
 1-26 intended to cause alarm or personal injury to another person or to
 1-27 damage school property, the person intentionally:

1-28 (1) exhibits or [~~7~~] uses [~~7~~, or threatens to exhibit or
 1-29 ~~use~~] a firearm:

1-30 (A) [~~(1)~~] in or on any property, including a
 1-31 parking lot, parking garage, or other parking area, that is owned by
 1-32 a private or public school; or

1-33 (B) [~~(2)~~] on a school bus being used to transport
 1-34 children to or from school-sponsored activities of a private or
 1-35 public school;

1-36 (2) threatens to exhibit or use a firearm in or on
 1-37 property described by Subdivision (1)(A) or on a bus described by
 1-38 Subdivision (1)(B) and was in possession of or had immediate access
 1-39 to the firearm; or

1-40 (3) threatens to exhibit or use a firearm in or on
 1-41 property described by Subdivision (1)(A) or on a bus described by
 1-42 Subdivision (1)(B).

1-43 (b) An offense under Subsection (a)(1) or (2) [~~this section~~]
 1-44 is a third degree felony.

1-45 (c) An offense under Subsection (a)(3) is a Class A
 1-46 misdemeanor.

1-47 SECTION 2. The changes in law made by this Act apply only to
 1-48 an offense committed on or after the effective date of this Act. An
 1-49 offense committed before the effective date of this Act is governed
 1-50 by the law in effect on the date the offense was committed, and the
 1-51 former law is continued in effect for that purpose. For purposes of
 1-52 this section, an offense was committed before the effective date of
 1-53 this Act if any element of the offense occurred before that date.

1-54 SECTION 3. This Act takes effect September 1, 2017.

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