

BILL ANALYSIS

S.B. 2054
By: West
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the existing offense of possessing or going with certain weapons in or into a secured area of an airport is too limited in applicability and insufficiently protects against a potential insider threat. S.B. 2054 seeks to address these concerns by revising the area of an airport that is considered a secured area for purposes of that offense while also providing for certain exemptions from that offense.

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

S.B. 2054 amends the Penal Code to redefine "secured area" for purposes of the offense of possessing or going with a firearm, illegal knife, club, or certain prohibited weapon in or into a secured area of an airport from an area of an airport terminal building to which access is controlled by the inspection of persons and property under federal law to an area of an airport terminal building or of an adjacent aircraft parking area used by common carriers in air transportation but not used by general aviation and to which access is controlled under federal law. The bill removes the defense to prosecution for such an offense for an actor who checked all firearms as baggage in accordance with federal or state law or regulations before entering a secured area and instead exempts an actor who takes such action from the application of the offense. The bill also exempts from the application of the offense an actor who was authorized by a federal agency to possess a firearm in a secured area.

EFFECTIVE DATE

September 1, 2017.