

## **BILL ANALYSIS**

H.B. 1288  
By: Sanford  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised that the statutory restrictions that do not allow school marshals employed by public junior colleges to carry a handgun on their person if they regularly have direct interaction with students in the course of their duties limit a marshal's ability to respond to an emergency situation in a timely manner. H.B. 1288 seeks to address these concerns and remove this restriction.

### **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**

H.B. 1288 amends the Education Code to revise the requirements for the written regulations adopted by the governing board of a public junior college for purposes of authorizing a school marshal appointed by the board to carry or possess a handgun by:

- removing the requirement that those regulations prohibit a school marshal from carrying a concealed handgun if the marshal's primary duty involves regular, direct contact with students; and
- prohibiting the regulations from requiring that a school marshal store a handgun in a locked container while on duty.

H.B. 1288 revises the provision requiring the written regulations to restrict the type of ammunition approved by the Texas Commission on Law Enforcement that may be loaded in a handgun carried by or within access of a school marshal by specifying that the regulations must require a handgun carried or possessed by a school marshal to be loaded with that approved ammunition.

H.B. 1288 applies beginning with the 2019-2020 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.