

BILL ANALYSIS

Senate Research Center
87R11369 MAW-F

H.B. 1920
By: Capriglione et al. (Springer)
State Affairs
5/11/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Some Texas airports have raised concerns about the inadequacies in state law protecting against potential insider threats for airport security, particularly the airport operations area, known as the airside, ramp, tarmac, or backside of the terminal. For example, current state law does not prevent an airline employee from possessing a weapon in the airport operations area. This gap creates jurisdictional challenges for state airport law enforcement responding to threats. The bill would close this gap in the law by expanding the definition of an airport's secured area to include the airport operations area. The bill would ensure that state and federal officials could work together to prevent insider threats and that airport security has jurisdiction to investigate incidents and make arrests.

H.B. 1920 amends current law relating to the offense of possessing a weapon in a secured area of an airport.

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 46.03(c)(3), Penal Code, as follows:

(3) Redefines "secured area" for Section 46.03 (Places Weapons Prohibited) to mean an area of an airport terminal building to which access is controlled by the inspection of persons and property under federal law, or an aircraft parking area that is used by common carriers in air transportation but not by general aviation and to which access is controlled under federal law. Provides that the term does not include a baggage claim area, a motor vehicle parking area used by passengers, employees, or persons awaiting an arrival, or an area used by the public to pick up or drop off passengers or employees.

SECTION 2. Amends Section 46.03(e), Penal Code, to provide that it is a defense to prosecution under Subsection (a)(5) (relating to the commission of an offense if a person intentionally, knowingly, or recklessly possesses or goes with certain weapons into a secured area of an airport) that the actor was authorized by a federal agency or the airport operator to possess a firearm in a secured area. Makes nonsubstantive changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2021.