

By: Crockett

H.B. No. 1750

A BILL TO BE ENTITLED

AN ACT

relating to the use of force or deadly force in defense of a person.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 9.31, Penal Code, is amended by adding Subsection (g) to read as follows:

(g) For purposes of Subsection (a)(3), a finder of fact may not consider the defense provided by Section 8.02 in determining whether the actor was engaged in criminal activity at the time the force was used.

SECTION 2. Section 9.32, Penal Code, is amended by adding Subsection (e) to read as follows:

(e) For purposes of Subsection (b)(3), a finder of fact may not consider the defense provided by Section 8.02 in determining whether the actor was engaged in criminal activity at the time the deadly force was used.

SECTION 3. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect September 1, 2021.