

By: Jones of Dallas

H.B. No. 1459

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the conduct that constitutes the use of a deadly weapon
3 for purposes of the prosecution of the offense of aggravated
4 assault or aggravated sexual assault.

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

6 SECTION 1. Section 22.02, Penal Code, is amended by adding
7 Subsection (b-1) to read as follows:

8 (b-1) For purposes of this section, the use of a deadly
9 weapon does not include the transmission of bodily fluid by an
10 individual infected with human immunodeficiency virus (HIV).

11 SECTION 2. Section 22.021, Penal Code, is amended by adding
12 Subsection (c-1) to read as follows:

13 (c-1) For purposes of this section, the use of a deadly
14 weapon does not include the transmission of bodily fluid by an
15 individual infected with human immunodeficiency virus (HIV).

16 SECTION 3. The change in law made by this Act applies only
17 to an offense committed on or after the effective date of this Act.
18 An offense committed before the effective date of this Act is
19 governed by the law in effect on the date the offense was committed,
20 and the former law is continued in effect for that purpose. For
21 purposes of this section, an offense was committed before the
22 effective date of this Act if any element of the offense occurred
23 before that date.

24 SECTION 4. This Act takes effect September 1, 2025.