

By: Eiland, Menendez

H.B. No. 1458

A BILL TO BE ENTITLED

AN ACT

relating to criminal obstruction of or retaliation against an
honorably retired peace officer.

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

SECTION 1. Section 36.06(b), Penal Code, is amended to read
as follows:

(b) In [~~For purposes of~~] this section:

(1) "Honorably retired peace officer" means a peace
officer who:

(A) did not retire in lieu of any disciplinary
action;

(B) was eligible to retire from a law enforcement
agency or was ineligible to retire only as a result of an injury
received in the course of the officer's employment with the agency;
and

(C) is entitled to receive a pension or annuity
for service as a law enforcement officer or is not entitled to
receive a pension or annuity only because the law enforcement
agency that employed the officer does not offer a pension or annuity
to its employees.

(2) "Informant" [~~"informant"~~] means a person who has
communicated information to the government in connection with any
governmental function.

(3) "Public servant" includes an honorably retired

1 peace officer.

2 SECTION 2. (a) The change in law made by this Act applies
3 only to an offense committed on or after the effective date of this
4 Act. For purposes of this section, an offense is committed before
5 the effective date of this Act if any element of the offense occurs
6 before the effective date.

7 (b) An offense committed before the effective date of this
8 Act is governed by the law in effect when the offense was committed,
9 and the former law is continued in effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2003.