

1-1 By: Eiland, Menendez (Senate Sponsor - Jackson) H.B. No. 1458  
1-2 (In the Senate - Received from the House April 25, 2003;  
1-3 April 28, 2003, read first time and referred to Committee on  
1-4 Criminal Justice; May 23, 2003, reported favorably by the  
1-5 following vote: Yeas 4, Nays 0; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to criminal obstruction of or retaliation against an  
1-9 honorably retired peace officer.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 36.06(b), Penal Code, is amended to read  
1-12 as follows:

1-13 (b) In [~~For purposes of~~] this section:

1-14 (1) "Honorably retired peace officer" means a peace  
1-15 officer who:

1-16 (A) did not retire in lieu of any disciplinary  
1-17 action;

1-18 (B) was eligible to retire from a law enforcement  
1-19 agency or was ineligible to retire only as a result of an injury  
1-20 received in the course of the officer's employment with the agency;  
1-21 and

1-22 (C) is entitled to receive a pension or annuity  
1-23 for service as a law enforcement officer or is not entitled to  
1-24 receive a pension or annuity only because the law enforcement  
1-25 agency that employed the officer does not offer a pension or annuity  
1-26 to its employees.

1-27 (2) "Informant" [~~,"informant"~~] means a person who has  
1-28 communicated information to the government in connection with any  
1-29 governmental function.

1-30 (3) "Public servant" includes an honorably retired  
1-31 peace officer.

1-32 SECTION 2. (a) The change in law made by this Act applies  
1-33 only to an offense committed on or after the effective date of this  
1-34 Act. For purposes of this section, an offense is committed before  
1-35 the effective date of this Act if any element of the offense occurs  
1-36 before the effective date.

1-37 (b) An offense committed before the effective date of this  
1-38 Act is governed by the law in effect when the offense was committed,  
1-39 and the former law is continued in effect for that purpose.

1-40 SECTION 3. This Act takes effect September 1, 2003.

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