

By: Reyna

H.B. No. 582

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of the offense of taking or attempting
3 to take a stun gun from a peace officer, parole officer, or
4 community supervision and corrections department officer.

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

6 SECTION 1. Sections 38.14(a) and (b), Penal Code, are
7 amended to read as follows:

8 (a) In this section:

9 (1) "Firearm" [~~,"firearm"~~] has the meanings assigned
10 by Section 46.01.

11 (2) "Stun gun" means a device designed to propel darts
12 or other projectiles attached to wires that, on contact, will
13 deliver an electrical pulse capable of incapacitating a person.

14 (b) A person commits an offense if the person intentionally
15 or knowingly and with force takes or attempts to take from a peace
16 officer, parole officer, or community supervision and corrections
17 department officer the officer's firearm, nightstick, stun gun, or
18 personal protection chemical dispensing device with the intention
19 of harming the officer or a third person.

20 SECTION 2. The change in law made by this Act applies only
21 to an offense committed on or after the effective date of this Act.
22 An offense committed before the effective date of this Act is
23 covered by the law in effect when the offense was committed, and the
24 former law is continued in effect for that purpose. For purposes of

1 this section, an offense is committed before the effective date of
2 this Act if any element of the offense occurs before the effective
3 date.

4 SECTION 3. This Act takes effect September 1, 2005.