

AN ACT

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

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

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

(a) In this section:

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

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

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

SECTION 2. The change in law made by this Act applies 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 covered by the law in effect when the offense was committed, and the 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.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 582 was passed by the House on May 13, 2005, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 582 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor