

1-1 By: Reyna (Senate Sponsor - Whitmire) H.B. No. 582  
1-2 (In the Senate - Received from the House May 16, 2005;  
1-3 May 17, 2005, read first time and referred to Committee on Criminal  
1-4 Justice; May 20, 2005, reported favorably by the following vote:  
1-5 Yeas 4, Nays 0; May 20, 2005, sent to printer.)

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

1-8 relating to the prosecution of the offense of taking or attempting  
1-9 to take a stun gun from a peace officer, parole officer, or  
1-10 community supervision and corrections department officer.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Sections 38.14(a) and (b), Penal Code, are  
1-13 amended to read as follows:

1-14 (a) In this section:

1-15 (1) "Firearm" [~~,"firearm"~~] has the meanings assigned  
1-16 by Section 46.01.

1-17 (2) "Stun gun" means a device designed to propel darts  
1-18 or other projectiles attached to wires that, on contact, will  
1-19 deliver an electrical pulse capable of incapacitating a person.

1-20 (b) A person commits an offense if the person intentionally  
1-21 or knowingly and with force takes or attempts to take from a peace  
1-22 officer, parole officer, or community supervision and corrections  
1-23 department officer the officer's firearm, nightstick, stun gun, or  
1-24 personal protection chemical dispensing device with the intention  
1-25 of harming the officer or a third person.

1-26 SECTION 2. The change in law made by this Act applies only  
1-27 to an offense committed on or after the effective date of this Act.  
1-28 An offense committed before the effective date of this Act is  
1-29 covered by the law in effect when the offense was committed, and the  
1-30 former law is continued in effect for that purpose. For purposes of  
1-31 this section, an offense is committed before the effective date of  
1-32 this Act if any element of the offense occurs before the effective  
1-33 date.

1-34 SECTION 3. This Act takes effect September 1, 2005.

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