

BILL ANALYSIS

Senate Research Center
80R5287 JRH-F

H.B. 1586
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since late 2004, law enforcement authorities have reported increased numbers of incidents in which a person deliberately points a laser beam at an aircraft, creating the risks of damaging the eyesight of the flight crew or distracting them from their flight duties.

H.B. 1586 provides that it is a Class C misdemeanor to intentionally point a laser pointer or other light source at an aircraft, unless the intensity of the light impairs the operator's ability to control the airplane, in which case it is a Class A misdemeanor.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 42, Penal Code, by adding Section 42.14, as follows:

Sec. 42.14. ILLUMINATION OF AIRCRAFT BY INTENSE LIGHT. (a) Provides that a person commits an offense if the person intentionally directs a light from a laser pointer or other light source at an aircraft and the light has an intensity sufficient to impair the operator's ability to control the aircraft.

(b) Provides that it is an affirmative defense to prosecution under this section that the actor was using the light to send an emergency distress signal.

(c) Provides that an offense under this section is a Class C misdemeanor unless the intensity of the light impairs the operator's ability to control the aircraft, in which event the offense is a Class A misdemeanor.

(d) Authorizes the actor, if the actor's conduct that constitutes an offense under this section also constitutes an offense under any other law, to be prosecuted under this section or the other law.

(e) Defines "laser pointer."

SECTION 2. Effective date: September 1, 2007.