

1-1 By: Flores (Senate Sponsor - Lucio) H.B. No. 1586
1-2 (In the Senate - Received from the House May 1, 2007;
1-3 May 2, 2007, read first time and referred to Committee on Criminal
1-4 Justice; May 16, 2007, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 16, 2007, sent to printer.)

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

1-8 relating to the creation of the offense of illumination of an
1-9 aircraft by intense light.

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

1-11 SECTION 1. Chapter 42, Penal Code, is amended by adding
1-12 Section 42.14 to read as follows:

1-13 Sec. 42.14. ILLUMINATION OF AIRCRAFT BY INTENSE LIGHT. (a)
1-14 A person commits an offense if:

1-15 (1) the person intentionally directs a light from a
1-16 laser pointer or other light source at an aircraft; and

1-17 (2) the light has an intensity sufficient to impair
1-18 the operator's ability to control the aircraft.

1-19 (b) It is an affirmative defense to prosecution under this
1-20 section that the actor was using the light to send an emergency
1-21 distress signal.

1-22 (c) An offense under this section is a Class C misdemeanor
1-23 unless the intensity of the light impairs the operator's ability to
1-24 control the aircraft, in which event the offense is a Class A
1-25 misdemeanor.

1-26 (d) If conduct that constitutes an offense under this
1-27 section also constitutes an offense under any other law, the actor
1-28 may be prosecuted under this section or the other law.

1-29 (e) In this section, "laser pointer" has the meaning
1-30 assigned by Section 42.13.

1-31 SECTION 2. This Act takes effect September 1, 2007.

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