

BILL ANALYSIS

H.B. 3147
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Private security officers commissioned under the Private Security Act and regulated by the Texas Department of Public Safety protect public and private interests throughout Texas. Recently, the number of attacks against security officers involving the taking of the officers' weapons has increased. Several officers have been shot or beaten with their own weapons, and many more have been overpowered and had their weapons stolen. Currently, the only available penalty for this offense is punishment for theft.

H.B. 3147 makes the penalty for the offense of attempting to take or taking a weapon from a commissioned security officer the same as that of attempting to take or the taking of a weapon from a peace officer, parole officer, or a community supervision and corrections department officer.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3147 amends the Penal Code to include a commissioned security officer among the officers for whom it is an offense for a person to intentionally or knowingly with force take or attempt to take a firearm, nightstick, stun gun, or personal protection chemical dispensing device with the intention of harming the officer or a third person. The bill makes conforming changes to provisions relating to the presumption of the actor's knowledge of the officer's status as an officer and to a defense to prosecution for the offense. The bill defines "commissioned security officer."

EFFECTIVE DATE

September 1, 2009.