

SENATE AMENDMENTS

2nd Printing

By: Driver

H.B. No. 4456

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the definition of a switchblade knife for purposes of
3 the offense of prohibited weapons.

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

5 SECTION 1. Section 46.01(11), Penal Code, is amended to
6 read as follows:

7 (11) "Switchblade knife" means any knife that has a
8 blade that folds, closes, or retracts into the handle or sheath[~~7~~]
9 and that[+]

10 [~~A~~] opens automatically by pressure applied to
11 a button or other device located on the handle[+] or

12 [~~B~~] opens or releases a blade from the handle
13 or sheath by the force of gravity or by the application of
14 centrifugal force. The term does not include a knife that has a
15 spring, detent, or other mechanism designed to create a bias toward
16 closure and that requires exertion applied to the blade or blade
17 mechanism by hand, wrist, or arm to overcome the bias toward closure
18 and open the knife.

19 SECTION 2. The change in law made by this Act applies only
20 to an offense committed on or after the effective date of this Act.
21 An offense committed before the effective date of this Act is
22 covered by the law in effect when the offense was committed, and the
23 former law is continued in effect for that purpose. For purposes of
24 this section, an offense was committed before the effective date of

H.B. No. 4456

1 this Act if any element of the offense was committed before that
2 date.

3 SECTION 3. This Act takes effect September 1, 2009.

ADOPTED

MAY 27 2009

Scott Brown
Secretary of the Senate

By: Deuell

H.B. No. 4456

Substitute the following for H.B. No. 4456:

By: *[Signature]*

C.S.H.B. No. 4456

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22 covered by the law in effect when the offense was committed, and the
23 former law is continued in effect for that purpose. For purposes of
24 this section, an offense was committed before the effective date of

1 this Act if any element of the offense was committed before that
2 date.

3 SECTION 3. This Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 27, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4456 by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the definition of a switchblade knife.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, SZ, ESi, GG, LM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 20, 2009

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4456** by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the definition of a switchblade knife.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, LM

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 18, 2009

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4456** by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the definition of a switchblade knife.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, LM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 18, 2009

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4456 by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the definition of a switchblade knife.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, LM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 6, 2009

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4456 by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code as it relates to the definition of a switchblade knife.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, ESi, GG, LM

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

81ST LEGISLATIVE REGULAR SESSION

May 20, 2009

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4456 by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), **Committee Report 2nd House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, LM, GG

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

81ST LEGISLATIVE REGULAR SESSION

May 19, 2009

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4456 by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), **As Engrossed**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG, LM

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

81ST LEGISLATIVE REGULAR SESSION

April 19, 2009

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4456 by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG, LM

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

81ST LEGISLATIVE REGULAR SESSION

April 6, 2009

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4456 by Driver (Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, LM

