

By: Hinojosa

S.B. No. 1416

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the creation of the offense of possession, manufacture,  
3 transportation, repair, or sale of a tire deflation device;  
4 providing criminal penalties.

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

6 SECTION 1. Section 46.01, Penal Code, is amended by adding  
7 Subdivision (17) to read as follows:

8 (17) "Tire deflation device" means a device, including  
9 a caltrop or spike strip, that, when driven over, impedes or stops  
10 the movement of a wheeled vehicle by puncturing one or more of the  
11 vehicle's tires.

12 SECTION 2. Section 46.05, Penal Code, is amended by  
13 amending Subsection (a) and adding Subsection (b-1) to read as  
14 follows:

15 (a) A person commits an offense if the person ~~[he]~~  
16 intentionally or knowingly possesses, manufactures, transports,  
17 repairs, or sells:

- 18 (1) an explosive weapon;  
19 (2) a machine gun;  
20 (3) a short-barrel firearm;  
21 (4) a firearm silencer;  
22 (5) a switchblade knife;  
23 (6) knuckles;  
24 (7) armor-piercing ammunition;

1           (8) a chemical dispensing device; [~~or~~]

2           (9) a zip gun; or

3           (10) a tire deflation device.

4           (b-1) It is a defense to prosecution under this section that  
5 the actor's conduct was incidental to dealing with a tire deflation  
6 device solely for the purpose of making the device available to an  
7 organization, agency, or institution listed in Subsection (b).

8           SECTION 3. This Act takes effect September 1, 2011.