

By: Taylor

H.B. No. 153

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the definition of intoxicated for purposes of certain
3 weapons offenses.

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

5 SECTION 1. Section 46.01, Penal Code, is amended by adding
6 Subdivision (18) to read as follows:

7 (18) "Intoxicated" has the meaning assigned by Section
8 49.01.

9 SECTION 2. Section 46.06(b), Penal Code, is amended to read
10 as follows:

11 (b) In this section, "active[+]
12 [~~(1) "Intoxicated" means substantial impairment of~~
13 ~~mental or physical capacity resulting from introduction of any~~
14 ~~substance into the body.~~

15 [~~(2) "Active] protective order"~~ means a protective
16 order issued under Title 4, Family Code, that is in effect. The term
17 does not include a temporary protective order issued before the
18 court holds a hearing on the matter.

19 SECTION 3. The changes in law made by this Act apply only to
20 an offense committed on or after the effective date of this Act. An
21 offense committed before the effective date of this Act is covered
22 by the law in effect when the offense was committed, and the former
23 law is continued in effect for that purpose. For purposes of this
24 section, an offense was committed before the effective date of this

1 Act if any element of the offense occurred before that date.

2 SECTION 4. This Act takes effect September 1, 2013.