

By: Raymond

H.B. No. 1502

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of certain disciplinary actions against a  
3 child; providing a criminal penalty.

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

5 SECTION 1. Chapter 22, Penal Code, is amended by adding  
6 Section 22.042 to read as follows:

7 Sec. 22.042. UNLAWFUL DISCIPLINE OF A CHILD. (a) In this  
8 section:

9 (1) "Child" means a person younger than 18 years of  
10 age.

11 (2) "Stun gun" has the meaning assigned by Section  
12 38.14.

13 (3) "Taser" means a device that is intended, designed,  
14 made, or adapted to incapacitate a person by inflicting an  
15 electrical charge through the emission of a projectile or  
16 conductive stream.

17 (b) A person commits an offense if the person subdues a  
18 child for disciplinary purposes by using a stun gun, taser, or  
19 handcuffs or similar restraints on the child.

20 (c) An offense under this section is a Class A misdemeanor.

21 (d) The defenses to prosecution provided under Subchapter  
22 F, Chapter 9, are not available to a defendant under this section.

23 (e) If conduct constituting an offense under this section  
24 also constitutes an offense under another section of this code, the

1 actor may be prosecuted under either section or both sections.

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