

By: Raymond

H.B. No. 1159

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 (4) "Zip tie" means a plastic strip that can be
18 threaded through its end and tightened.

19 (b) A person commits an offense if the person subdues a
20 child for disciplinary purposes by using a stun gun, a taser,
21 handcuffs, or zip ties on the child.

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

23 (d) The defenses to prosecution provided under Subchapter
24 F, Chapter 9, are not available to a defendant under this section if

1 the child was younger than 13 years of age at the time of the
2 offense.

3 (e) If conduct constituting an offense under this section
4 also constitutes an offense under another section of this code, the
5 actor may be prosecuted under either section or both sections.

6 SECTION 2. This Act takes effect September 1, 2015.