

By: Lucio III

H.B. No. 4440

A BILL TO BE ENTITLED

AN ACT

relating to enhancing the criminal penalty for causing bodily injury while resisting arrest, search, or transportation.

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

SECTION 1. Section 38.03(d), Penal Code, is amended to read as follows:

(d) An offense under this section is:

(1) a state jail felony if the actor's use of force causes bodily injury to the peace officer or another person; and

(2) a felony of the third degree if the actor uses a deadly weapon to resist the arrest or search.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION 3. This Act takes effect September 1, 2019.