

By: Ellzey

H.B. No. 2746

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the criminal offense of use of laser pointers; increasing a criminal penalty.

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

SECTION 1. Section 42.13, Penal Code, is amended by amending Subsection (c) and adding Subsections (d) and (e) to read as follows:

(c) An offense under this section is a Class C misdemeanor, except that the offense is a felony of the third degree if the conduct causes serious bodily injury to the officer.

(d) It is a defense to prosecution under this section that at the time of the offense the actor was discharging the actor's duties as a lighting technician at a venue which produces or hosts events involving laser pointers, including a concert or similar event.

(e) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

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

H.B. No. 2746

1 effective date of this Act if any element of the offense was  
2 committed before that date.

3 SECTION 3. This Act takes effect September 1, 2021.