

By: Virdell, Guillen, et al.

H. B. No. 2458

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a defense to prosecution for the offense of aggravated
3 assault.

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

5 SECTION 1. Section 22.02, Penal Code, is amended by adding
6 Subsection (a-1) to read as follows:

7 (a-1) It is a defense to prosecution under Subsection (a)(2)
8 that the actor threatened to cause death or serious bodily injury by
9 exhibiting a deadly weapon if:

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

24 SECTION 3. This Act takes effect September 1, 2025.