

AN ACT

relating to the prosecution of the offense of deadly conduct.

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

SECTION 1. Section 22.05, Penal Code, is amended by amending Subsection (c) and adding Subsection (f) to read as follows:

(c) Except as otherwise provided by this subsection, recklessness [~~Recklessness~~] and danger are presumed if the actor knowingly pointed a firearm at or in the direction of another whether or not the actor believed the firearm to be loaded. The presumption under this subsection does not apply to a peace officer engaged in the lawful discharge of the officer's official duties.

(f) Subsection (b)(1) does not apply to a peace officer if, at the time of the offense, the officer:

(1) was engaged in the actual discharge of the officer's official duties; and

(2) reasonably believed the discharge of the officer's firearm was justified under Chapter 9.

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

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

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1637 passed the Senate on April 9, 2025, by the following vote: Yeas 27, Nays 3; and that the Senate concurred in House amendment on June 1, 2025, by the following vote: Yeas 28, Nays 3.

Secretary of the Senate

I hereby certify that S.B. No. 1637 passed the House, with amendment, on April 30, 2025, by the following vote: Yeas 102, Nays 41, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor