

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 23, 2025

Date

Honorable Dan Patrick
President of the Senate

Honorable Dustin Burrows
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 1637 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Phil King
Senator King

Phil Flores
Senator Flores

Blair Hagenbuch
Senator Hagenbuch

J. J. Hingosa
Senator Hingosa

Joan Huffman
On the part of the Senate
Senator Huffman

Cole Hefner
Rep. Hefner

Mark E. Davis
Rep. Davis

On the part of the House

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 1637

A BILL TO BE ENTITLED

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 engaged in the lawful discharge of the officer's official duties.

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 occurred before that date.

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

Senate Bill 1637
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

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 engaged in the *lawful* discharge of the officer's official duties.

SECTION 2. Saving provision.

SECTION 3. Effective date.

HOUSE VERSION (IE)

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. [FA1]

SECTION 2. Same as Senate version.

SECTION 3. Same as Senate version.

CONFERENCE

SECTION 1. Same as Senate version.

SECTION 2. Same as Senate version.

SECTION 3. Same as Senate version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 26, 2025

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1637 by King (Relating to the prosecution of the offense of deadly conduct.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would make an exception for the offenses of recklessly engaging in conduct that places another person in imminent danger of serious bodily injury or knowingly discharging a firearm at or in the direction of one or more individuals if the person is a peace officer who is engaged in the lawful discharge of their official duties.

It is assumed that any fiscal impact and any impact on state correctional populations or on the demand for state correctional resources would not be significant.

Local Government Impact

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

Source Agencies:

LBB Staff: JMc, CMA, MGol, QH, AMr

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order.

I certify that a copy of the conference committee report on SB 1637 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before paper copies of the report were submitted to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

Col. Allen
(Signature)

5/24/25
(Date)