

BILL ANALYSIS

Senate Research Center
76R3937 GWK-F

H.B. 635
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Criminal Justice
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Engrossed

DIGEST

During the 75th Legislative Session, parole and community supervision officers were given the right to carry a weapon; however, Section 38.14, Penal Code (which makes it a crime to knowingly take or attempt to take a weapon from a peace officer) was not amended to include parole and community supervision officers. This bill would make the taking or attempt to take a weapon from a parole officer or a community supervision and corrections department officer with intent to harm the officer or a third person, a state jail felony.

PURPOSE

As proposed, H.B. 635 provides that an offense is committed when attempting to take a weapon from a peace officer, parole officer, or community supervision and corrections department officer.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 38.14, Penal Code, as follows:

Sec. 38.14. New heading: TAKING OR ATTEMPTING TO TAKE WEAPON FROM PEACE OFFICER, PAROLE OFFICER, OR COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT OFFICER. Provides that a person commits an offense if the person knowingly takes or attempts to take from a parole officer, or community supervision and corrections department officer the officer's firearm, nightstick, or personal protection chemical device with the intention of harming the officer or a third person. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.