

BILL ANALYSIS

Senate Research Center
77R6117 GWK-D

H.B. 1600
By: Jones, Elizabeth (Armbrister)
Criminal Justice
4/11/2001
Engrossed

DIGEST AND PURPOSE

On February 3, 2001, John Anthony "Rocky" Riojas, an eleven-year veteran of the San Antonio Police Department, was fatally shot with his own gun while scuffling with a man at an apartment complex. Under current law, the penalty for an offense of taking or attempting to take a weapon away from a peace officer, parole officer, or community supervision and corrections department officer is a state jail felony. As proposed, H.B. 1600, filed in honor of John Anthony "Rocky" Riojas, increases the penalty for such an offense to a felony of the third degree.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 38.14(e), Penal Code, to provide that an offense under this section is a third degree felony, rather than a state jail felony.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2001.

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