

By: Cook

H.B. No. 2577

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of indecent exposure;
increasing a criminal penalty.

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

SECTION 1. Section 21.08, Penal Code, is amended by
amending Subsection (b) and adding Subsection (c) to read as
follows:

(b) An offense under this section is a Class A [~~B~~]
misdemeanor, except that the offense is a state jail felony if it is
shown on the trial of the offense that the defendant has been
previously convicted of an offense under this section.

(c) For purposes of Subsection (b):

(1) a defendant has been previously convicted under
this section if the defendant was adjudged guilty of the offense or
entered a plea of guilty or nolo contendere in return for a grant of
deferred adjudication community supervision, regardless of whether
a sentence for the offense was ever imposed on conviction or whether
the defendant successfully completed a period of supervision in
relation to the offense; and

(2) a conviction under the laws of another state for an
offense containing elements that are substantially similar to the
elements of an offense under this section is a conviction of an
offense under this section.

SECTION 2. The change in law made by this Act applies only

1 to an offense committed on or after the effective date of this Act.
2 An offense committed before the effective date of this Act is
3 governed by the law in effect on the date the offense was committed,
4 and the former law is continued in effect for that purpose. For
5 purposes of this section, an offense was committed before the
6 effective date of this Act if any element of the offense occurred
7 before that date.

8 SECTION 3. This Act takes effect September 1, 2023.