

By: Swanson

H.B. No. 750

A BILL TO BE ENTITLED

1 AN ACT
2 relating to changing the eligibility for community supervision and
3 parole for certain repeat intoxication offenders.

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

5 SECTION 1. Article 42A.054(a), Code of Criminal Procedure,
6 is amended to read as follows:

7 (a) Article 42A.053 does not apply to a defendant adjudged
8 guilty of an offense under:

9 (1) Section 15.03, Penal Code, if the offense is
10 punishable as a felony of the first degree;

11 (2) Section 19.02, Penal Code (Murder);

12 (3) Section 19.03, Penal Code (Capital Murder);

13 (4) Section 20.04, Penal Code (Aggravated
14 Kidnapping);

15 (5) Section 20A.02, Penal Code (Trafficking of
16 Persons);

17 (6) Section 20A.03, Penal Code (Continuous
18 Trafficking of Persons);

19 (7) Section 21.11, Penal Code (Indecency with a
20 Child);

21 (8) Section 22.011, Penal Code (Sexual Assault);

22 (9) Section 22.021, Penal Code (Aggravated Sexual
23 Assault);

24 (10) Section 22.04(a)(1), Penal Code (Injury to a

1 Child, Elderly Individual, or Disabled Individual), if:

2 (A) the offense is punishable as a felony of the
3 first degree; and

4 (B) the victim of the offense is a child;

5 (11) Section 29.03, Penal Code (Aggravated Robbery);

6 (12) Section 30.02, Penal Code (Burglary), if:

7 (A) the offense is punishable under Subsection
8 (d) of that section; and

9 (B) the actor committed the offense with the
10 intent to commit a felony under Section 21.02, 21.11, 22.011,
11 22.021, or 25.02, Penal Code;

12 (13) Section 43.04, Penal Code (Aggravated Promotion
13 of Prostitution);

14 (14) Section 43.05, Penal Code (Compelling
15 Prostitution);

16 (15) Section 43.25, Penal Code (Sexual Performance by
17 a Child);

18 (16) Section 43.26, Penal Code (Possession or
19 Promotion of Child Pornography);

20 (17) Chapter 481, Health and Safety Code, for which
21 punishment is increased under:

22 (A) Section 481.140 of that code (Use of Child in
23 Commission of Offense); or

24 (B) Section 481.134(c), (d), (e), or (f) of that
25 code (Drug-free Zones) if it is shown that the defendant has been
26 previously convicted of an offense for which punishment was
27 increased under any of those subsections; [~~or~~]

1 (18) Section 481.1123, Health and Safety Code
2 (Manufacture or Delivery of Substance in Penalty Group 1-B), if the
3 offense is punishable under Subsection (d), (e), or (f) of that
4 section; or

5 (19) Section 49.04, 49.045, 49.05, 49.06, 49.061,
6 49.065, 49.07, or 49.08, Penal Code, if it is shown that the
7 defendant has been previously convicted two or more times of one of
8 those offenses or any combination of those offenses.

9 SECTION 2. The change in law made by this Act applies only
10 to an offense committed on or after the effective date of this Act.
11 An offense committed before the effective date of this Act is
12 governed by the law in effect on the date the offense was committed,
13 and the former law is continued in effect for that purpose. For
14 purposes of this section, an offense was committed before the
15 effective date of this Act if any element of the offense occurred
16 before that date.

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