

By: Wise

H.B. No. 39

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of and punishment for the offenses of
3 kidnapping and aggravated kidnapping.

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

5 SECTION 1. Section 20.03(c), Penal Code, is amended to read
6 as follows:

7 (c) An offense under this section is a felony of the third
8 degree, except that an offense under this section is a felony of the
9 second degree if the actor exposed the person abducted to a risk of
10 serious bodily injury.

11 SECTION 2. Section 20.04(a), Penal Code, is amended to read
12 as follows:

13 (a) A person commits an offense if:

14 (1) the person [~~he~~] intentionally or knowingly abducts
15 another person with the intent to:

16 (A) [~~(1)~~] hold the person abducted [~~him~~] for
17 ransom or reward or to coerce a third person to perform some act;

18 (B) [~~(2)~~] use the person abducted [~~him~~] as a
19 shield or hostage;

20 (C) [~~(3)~~] facilitate the commission of a felony
21 or the flight after the attempt or commission of a felony;

22 (D) [~~(4)~~] inflict bodily injury on the person
23 abducted [~~him~~] or violate or abuse the person abducted [~~him~~]
24 sexually;

1 (E) [~~(5)~~] terrorize the person abducted [~~him~~] or
2 a third person; [~~or~~]

3 (F) [~~(6)~~] interfere with the performance of any
4 governmental or political function; or

5 (G) hold the person abducted in a condition of
6 involuntary servitude; or

7 (2) the person intentionally or knowingly abducts
8 another person who is:

9 (A) younger than 18 years of age; or

10 (B) incompetent.

11 SECTION 3. (a) The change in law made by this Act applies
12 only to an offense committed on or after the effective date of this
13 Act. For purposes of this section, an offense was committed before
14 the effective date of this Act if any element of the offense was
15 committed before that date.

16 (b) An offense committed before the effective date of this
17 Act is covered by the law in effect when the offense was committed,
18 and the former law is continued in effect for that purpose.

19 SECTION 4. This Act takes effect December 1, 2003.