

1-1 By: Chisum, Pena (Senate Sponsor - Duncan) H.B. No. 42
1-2 (In the Senate - Received from the House April 2, 2003;
1-3 April 7, 2003, read first time and referred to Committee on
1-4 Criminal Justice; May 21, 2003, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; May 21, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to venue in the prosecution of the offenses of escape and
1-9 unauthorized absence.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 13, Code of Criminal Procedure, is
1-12 amended by adding Article 13.28 to read as follows:

1-13 Art. 13.28. ESCAPE; UNAUTHORIZED ABSENCE. An offense of
1-14 escape under Section 38.06, Penal Code, or unauthorized absence
1-15 under Section 38.113, Penal Code, may be prosecuted in:

1-16 (1) the county in which the offense of escape or
1-17 unauthorized absence was committed; or

1-18 (2) the county in which the defendant committed the
1-19 offense for which the defendant was placed in custody, detained, or
1-20 required to submit to treatment.

1-21 SECTION 2. The change in law made by this Act applies only
1-22 to an offense committed on or after the effective date of this Act.
1-23 An offense committed before the effective date of this Act is
1-24 covered by the law in effect when the offense was committed, and the
1-25 former law is continued in effect for that purpose. For purposes of
1-26 this section, an offense was committed before the effective date of
1-27 this Act if any element of the offense occurred before that date.

1-28 SECTION 3. This Act takes effect September 1, 2003.

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