

By: Taylor

H.B. No. 1700

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the offense of injury to a child committed under certain  
3 circumstances and to the conditions of community supervision for a  
4 person convicted of that offense.

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

6 SECTION 1. Section 22.04, Penal Code, is amended by adding  
7 Subsection (a-1) to read as follows:

8 (a-1) An act or omission that causes a child to suffer a  
9 condition described by Subsections (a)(1), (a)(2), and (a)(3),  
10 regardless of when the act or omission occurs in relation to the  
11 child's birth, is conduct constituting an offense under this  
12 section if the act or omission involves the introduction of  
13 alcohol, a controlled substance, a drug, a dangerous drug, or a  
14 combination of two or more of those substances into the actor's  
15 body.

16 SECTION 2. Section 11, Article 42.12, Code of Criminal  
17 Procedure, is amended by adding Subsection (i) to read as follows:

18 (i) A court granting community supervision to a defendant  
19 convicted of an offense under Section 22.04, Penal Code, prosecuted  
20 on the basis of conduct described by Subsection (a-1) of that  
21 section, shall require as a condition of community supervision that  
22 the defendant, for the full length of the defendant's term of  
23 community supervision:

24 (1) participate in, take, or undergo a reversible

1 contraceptive method, medication, or medical procedure that is not  
2 dependent on the defendant's active participation or cooperation;  
3 and

4 (2) periodically submit to testing for alcohol, drugs,  
5 dangerous drugs, or controlled substances.

6 SECTION 3. (a) This Act takes effect September 1, 2003.

7 (b) The change in law made by this Act applies only to an  
8 offense committed on or after September 1, 2003, and to a person  
9 placed on community supervision for an offense committed on or  
10 after that date. An offense committed before September 1, 2003, and  
11 a person placed on community supervision for an offense committed  
12 before that date, is covered by the law in effect when the offense  
13 was committed, and the former law is continued in effect for that  
14 purpose. For the purposes of this subsection, an offense was  
15 committed before September 1, 2003, if any element of the offense  
16 was committed before that date.