

By: Gattis

H.B. No. 2145

A BILL TO BE ENTITLED

AN ACT

relating to the punishment of the offense of criminal nonsupport of a child.

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

SECTION 1. Section 25.05, Penal Code, is amended by amending Subsection (f) and adding Subsection (g) to read as follows:

(f) Except as provided by Subsection (g), an [An] offense under this section is a state jail felony.

(g) An offense under this section committed by an individual who fails to support the individual's child who is the subject of a court order requiring the individual to support the child is punishable as:

(1) a state jail felony if the amount of unpaid support under the court order is less than \$20,000;

(2) a felony of the third degree if the amount of unpaid support under the court order is at least \$20,000 but less than \$100,000;

(3) a felony of the second degree if the amount of unpaid support under the court order is at least \$100,000 but less than \$200,000; and

(4) a felony of the first degree if the amount of unpaid support under the court order is at least \$200,000.

SECTION 2. (a) This Act takes effect September 1, 2003.

1           (b) The change in law made by this Act applies only to an  
2 offense committed on or after the effective date of this Act. For  
3 purposes of this section, an offense is committed before the  
4 effective date of this Act if any element of the offense occurs  
5 before the effective date.

6           (c) An offense committed before the effective date of this  
7 Act is covered by the law in effect when the offense was committed,  
8 and the former law is continued in effect for that purpose.