

By: Geren

H.B. No. 2925

A BILL TO BE ENTITLED

AN ACT

relating to certain offenses eligible for civil commitment.

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

SECTION 1. Section 841.002(8), Health and Safety Code, is amended to read as follows:

(8) "Sexually violent offense" means:

(A) an offense under Section 21.11(a)(1), 22.011, or 22.021, Penal Code;

(B) an offense under Section 20.04(a)(4), Penal Code, if the defendant committed the offense with the intent to violate or abuse the victim sexually;

(C) an offense under Section 30.02, Penal Code, if the offense is punishable under Subsection (d) of that section and the defendant committed the offense with the intent to commit an offense listed in Paragraph (A) or (B);

(D) an attempt, conspiracy, or solicitation, as defined by Chapter 15, Penal Code, to commit an offense listed in Paragraph (A), (B), ~~(C)~~, or (G);

(E) an offense under prior state law that contains elements substantially similar to the elements of an offense listed in Paragraph (A), (B), (C), ~~(D)~~, or (G);

(F) an offense under the law of another state, federal law, or the Uniform Code of Military Justice that contains elements substantially similar to the elements of an offense listed

1 in Paragraph (A), (B), (C), [~~or~~] (D), or (G);

2 (G) an offense that is a violation of Section
3 19.02 or Section 19.03, Penal Code, if the evidence indicates that
4 the defendant committed the offense with intent to violate or abuse
5 the victim sexually and prior to the defendant's release from the
6 institutional division, the prosecuting authority for the county of
7 conviction notifies the Texas Department of Criminal Justice Sexual
8 Offender Treatment Program that the murder of capital murder was a
9 sexually violent offense.

10 SECTION 2. Section 841.003, Health and Safety Code, is
11 amended by adding Section 841.003(c) as follows:

12 (c) A person is a repeat sexually violent offender for the
13 purposes of this chapter if the person is convicted of murder or
14 capital murder under Section 841.002(8)G, and has committed one or
15 more additional sexually violent offenses.

16 SECTION 3. This Act takes effect September 1, 2003.