

By: Zaffirini

S.B. No. 179

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the imposition of consecutive sentencing for certain
3 sex offenses.

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

5 SECTION 1. Article 42.08(b), Code of Criminal Procedure, is
6 amended to read as follows:

7 (b) The court [~~If a defendant is sentenced for an offense~~
8 ~~committed while the defendant was an inmate in the institutional~~
9 ~~division of the Texas Department of Criminal Justice and the~~
10 ~~defendant has not completed the sentence he was serving at the time~~
11 ~~of the offense, the judge]~~ shall order the sentence imposed in a
12 second or [~~for the~~] subsequent conviction [~~offense~~] to commence
13 immediately on completion of the sentence imposed in a preceding
14 conviction when:

15 (1) the defendant committed the offense that is the
16 subject of the second or subsequent conviction while the defendant
17 was an inmate in the institutional division of the Texas Department
18 of Criminal Justice completing the terms of the sentence imposed in
19 a preceding conviction; or

20 (2) the offenses that are the subjects of the
21 preceding conviction and the second or subsequent conviction are
22 among the offenses listed in Section 12.42(c)(2)(A), Penal Code, or
23 the offense described by Section 21.11, Penal Code [~~for the~~
24 ~~original offense~~].

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

2 (b) The change in law made by this Act applies only to an
3 offense committed on or after September 1, 2003. An offense
4 committed before September 1, 2003, is covered by the law in effect
5 when the offense was committed, and the former law is continued in
6 effect for that purpose. For purposes of this subsection, an
7 offense was committed before September 1, 2003, if any element of
8 the offense was committed before that date.