

By: Armbrister

S.B. No. 320

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the prosecution of a capital murder involving the death
3 of a peace officer.

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

5 SECTION 1. Chapter 2, Code of Criminal Procedure, is
6 amended by adding Article 2.011 to read as follows:

7 Art. 2.011. DUTY IN CERTAIN CAPITAL CASES. If a defendant
8 is charged with an offense under Section 19.03(a)(1), Penal Code,
9 and the victim of the alleged offense is a peace officer, the
10 attorney representing the state shall seek the imposition of the
11 death penalty on conviction of the defendant.

12 SECTION 2. (a) The change in law made by this Act applies
13 only to the prosecution of an offense committed on or after the
14 effective date of this Act. For purposes of this section, an
15 offense is committed before the effective date of this Act if any
16 element of the offense occurs before the effective date.

17 (b) The prosecution of an offense committed before the
18 effective date of this Act is covered by the law in effect when the
19 offense was committed, and the former law is continued in effect for
20 that purpose.

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