

By: Whitmire

S.B. No. 881

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the punishment of certain offenses involving
3 prostitution.

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

5 SECTION 1. Section 43.03(b), Penal Code, is amended to read
6 as follows:

7 (b) An offense under this section is a Class A misdemeanor,
8 except that the offense is a felony of the first degree if it is
9 shown on the trial of the offense that:

10 (1) money or property received under Subsection (a)(1)
11 was the proceeds of prostitution engaged in by a person younger than
12 17 years of age; or

13 (2) the person solicited to engage in sexual conduct
14 was younger than 17 years of age.

15 SECTION 2. Section 43.04(b), Penal Code, is amended to read
16 as follows:

17 (b) An offense under this section is a felony of the third
18 degree, except that the offense is a felony of the first degree if
19 it is shown on the trial of the offense that the prostitution
20 enterprise uses a prostitute who is younger than 17 years of age.

21 SECTION 3. Section 43.05(b), Penal Code, is amended to read
22 as follows:

23 (b) An offense under Subsection (a)(1) [~~this section~~] is a
24 felony of the second degree. An offense under Subsection (a)(2) is

1 a felony of the first degree.

2 SECTION 4. (a) This Act takes effect September 1, 2003.

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