

By: Williams

S.B. No. 1115

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of the offense of abandoning or  
3 endangering a child.

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

5 SECTION 1. Section 22.041, Penal Code, is amended by  
6 amending Subsection (h) and adding Subsection (i) to read as  
7 follows:

8 (h) It is an exception to the application of Subsection (b)  
9 [~~this section~~] that the actor voluntarily delivered the child to a  
10 designated emergency infant care provider under Section 262.302,  
11 Family Code.

12 (i) It is a defense to prosecution under Subsection (c) that  
13 the actor voluntarily delivered the child to a designated emergency  
14 infant care provider under Section 262.302, Family Code.

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

16 (b) The change in law made by this Act applies only to an  
17 offense committed on or after September 1, 2003. An offense  
18 committed before September 1, 2003, is covered by the law in effect  
19 when the offense was committed, and the former law is continued in  
20 effect for that purpose. For the purposes of this subsection, an  
21 offense is committed before September 1, 2003, if any element of the  
22 offense occurs before that date.