

By: Staples

S.B. No. 1124

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of escape.

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

SECTION 1. Sections 38.06(c) and (d), Penal Code, are amended to read as follows:

(c) An offense under this section is a felony of the third degree if the actor:

(1) is under arrest for or ~~or~~ charged with ~~or convicted of~~ a felony;

(2) is confined in a secure correctional facility; or

(3) is committed to a secure correctional facility, as defined by Section 51.02, Family Code, other than a halfway house, operated by or under contract with the Texas Youth Commission.

(d) An offense under this section is a felony of the second degree if the actor:

(1) is convicted of a felony; or

(2) to effect his escape causes bodily injury.

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

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed,

1 and the former law is continued in effect for that purpose.

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