

By: Dutton

H.B. No. 382

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of hindering apprehension or prosecution.

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

SECTION 1. Section 38.05, Penal Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) It is a defense to prosecution under Subsection (a)(2) that:

(1) the person has contacted an appropriate law enforcement official to make arrangements to bring the suspect to the official or to a designated law enforcement agency;

(2) the person and the law enforcement official have agreed to the time and the manner in which the person is to bring the suspect to the official or designated agency; and

(3) the person's actions after contacting the law enforcement official indicate that the person is complying with the terms of the agreement described by Subdivision (2).

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that

1 date.

2 SECTION 3. This Act takes effect September 1, 2005.