

By: Quintanilla

H.B. No. 778

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the punishment for the crime of issuance of a bad check
3 committed against an elderly person.

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

5 SECTION 1. Section 32.41(f), Penal Code, is amended to read
6 as follows:

7 (f) Except as otherwise provided by this subsection, an
8 offense under this section is a Class C misdemeanor. An offense
9 under this section is a Class B misdemeanor if [~~if~~] the check or
10 similar sight order that was issued or passed:

11 (1) was for a child support payment the obligation for
12 which is established under a court order; or

13 (2) was issued or passed to an elderly individual, as
14 that term is defined by Section 22.04 [~~, the offense is a Class B~~
15 misdemeanor].

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

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