

By: Hamilton

H.B. No. 1467

A BILL TO BE ENTITLED

AN ACT

relating to the offense of prohibited sexual conduct.

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

SECTION 1. Section 25.02(a), Penal Code, is amended to read as follows:

(a) An individual commits an offense if the individual [~~he~~] engages in sexual intercourse or deviate sexual intercourse with a person the individual [~~he~~] knows to be, without regard to legitimacy:

(1) the individual's [~~his~~] ancestor or descendant by blood or adoption;

(2) the individual's [~~his~~] stepchild or stepparent, while the marriage creating that relationship exists;

(3) the individual's [~~his~~] parent's brother or sister of the whole or half blood;

(4) the individual's [~~his~~] brother or sister of the whole or half blood or by adoption; [~~or~~]

(5) a child [~~the children~~] of the individual's [~~his~~] brother or sister of the whole or half blood or by adoption; or

(6) a person for whom the individual has been appointed guardian, conservator, or custodian by a court.

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

1 covered by the law in effect at the time the offense was committed,
2 and the former law is continued in effect for that purpose. For
3 purposes of this section, an offense was committed before the
4 effective date of this Act if any element of the offense was
5 committed before that date.

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