

By: Zedler

H.B. No. 1714

A BILL TO BE ENTITLED

AN ACT

relating to the offense of murder of a child.

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

SECTION 1. Chapter 19, Penal Code, is amended by adding Section 19.021 to read as follows:

Sec. 19.021. MURDER OF A CHILD. (a) A person commits an offense if:

(1) he commits or attempts to commit injury to a child as defined under Section 22.04(a)(1), (2), or (3);

(2) the individual injured is a child; and

(3) in the course of and in the furtherance of the commission, omission, or attempt or in immediate flight from the commission, omission, or attempt, he commits or attempts to commit an act or omission that is clearly dangerous to human life that causes the death of a child.

(b) An omission that causes a condition described by Sections 22.04(a)(1)-(3) is conduct constituting an offense under this section if:

(1) the actor has a legal or statutory duty to act; or

(2) the actor has assumed care, custody, or control of a child.

(c) In this section, "child" means a person 14 years of age or younger.

(d) An offense under this section is a felony punishable by

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1 imprisonment in the institutional division of the Texas Department  
2 of Criminal Justice for life or for a term of not more than 99 years  
3 or less than 15 years, and a fine not to exceed \$10,000.

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