

By: Delisi

H.B. No. 2104

A BILL TO BE ENTITLED

1 AN ACT

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

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

5 SECTION 1. Section 38.05(a), Penal Code, is amended to read
6 as follows:

7 (a) A person commits an offense if, with intent to hinder
8 the arrest, prosecution, conviction, or punishment of another for
9 an offense or, with intent to hinder the arrest, detention,
10 adjudication, or disposition of a child for engaging in delinquent
11 conduct that violates a penal law of the state, or with intent to
12 hinder the arrest of another under the authority of a warrant or
13 capias [~~grade of felony~~], he:

14 (1) harbors or conceals the other;

15 (2) provides or aids in providing the other with any
16 means of avoiding arrest or effecting escape; or

17 (3) warns the other of impending discovery or
18 apprehension.

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

1 this Act if any element of the offense occurs before the effective
2 date.

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