

By: Quintanilla

H.B. No. 2213

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for certain crimes of fraud committed against elderly persons.

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

SECTION 1. Subchapter D, Chapter 12, Penal Code, is amended by adding Section 12.50 to read as follows:

Sec. 12.50. PENALTY FOR FRAUD COMMITTED AGAINST ELDERLY VICTIM. (a) In this section, "elderly individual" has the meaning assigned by Section 22.04.

(b) If it is shown on the trial of an offense under Chapter 32 that a victim of the offense is an elderly individual, the punishment for:

(1) an offense otherwise punishable as a misdemeanor is increased to the punishment for a state jail felony; and

(2) a felony other than a felony of the first degree is increased to the punishment prescribed for the next higher category of offense.

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 governed 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

H.B. No. 2213

1 committed before that date.

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