

By: Cook of Colorado

H.B. No. 2296

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the reduction of a state jail felony prosecution to a
3 misdemeanor prosecution.

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

5 SECTION 1. Section 12.44(b), Penal Code, is amended to read
6 as follows:

7 (b) At the request of the prosecuting attorney [~~When a court~~
8 ~~is authorized to impose punishment for a lesser category of offense~~
9 ~~as provided in Subsection (a)~~], the court may authorize the
10 prosecuting attorney to prosecute a state jail felony as a Class A
11 misdemeanor [~~initially for the lesser category of offense~~].

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

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