

By: Cook of Colorado

H.B. No. 2296

A BILL TO BE ENTITLED

AN ACT

relating to the reduction of certain felonies to a misdemeanor.

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

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

(b) At the request of the prosecuting attorney [~~When a court is authorized to impose punishment for a lesser category of offense as provided in Subsection (a)~~], the court may authorize the prosecuting attorney to prosecute a state jail felony or felony of the third degree as a Class A misdemeanor [~~initially for the lesser 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 covered 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 committed before that date.

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