

By: Castro

H.B. No. 502

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the minimum term of imprisonment for a first-degree  
3 felony offense that is committed because of bias or prejudice.

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

5 SECTION 1. Section 12.47(a), Penal Code, is amended to read  
6 as follows:

7 (a) If an affirmative finding under Article 42.014, Code of  
8 Criminal Procedure, is made in the trial of an offense other than a  
9 first degree felony or a Class A misdemeanor, the punishment for the  
10 offense is increased to the punishment prescribed for the next  
11 highest category of offense. If the offense is a Class A  
12 misdemeanor, the minimum term of confinement for the offense is  
13 increased to 180 days. If the offense is a felony of the first  
14 degree, the minimum term of imprisonment for the offense is  
15 increased to 10 years. This section does not apply to the trial of  
16 an offense of injury to a disabled individual under Section [~~§~~  
17 22.04, if the affirmative finding in the case under Article 42.014,  
18 Code of Criminal Procedure, shows that the defendant intentionally  
19 selected the victim because the victim was disabled.

20 SECTION 2. The change in law made by this Act applies only  
21 to an offense committed on or after September 1, 2007. An offense  
22 committed before September 1, 2007, is governed by the law in effect  
23 when the offense was committed, and the former law is continued in  
24 effect for that purpose. For purposes of this section, an offense

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1 was committed before September 1, 2007, if any element of the  
2 offense occurred before that date.

3 SECTION 3. This Act takes effect September 1, 2007.