

By: Goolsby

H.B. No. 883

A BILL TO BE ENTITLED

1 AN ACT

2 relating to requiring DNA records of persons who are arrested under  
3 certain circumstances, who are indicted, or who waive indictment  
4 for the offense of capital murder.

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

6 SECTION 1. Section 411.1471(a), Government Code, is amended  
7 to read as follows:

8 (a) This section applies to a defendant who is:

9 (1) indicted or waives indictment for a felony  
10 prohibited or punishable under any of the following Penal Code  
11 sections:

- 12 (A) Section 19.03;
- 13 (B) Section 20.04(a)(4);
- 14 (C) [~~B~~] Section 21.11;
- 15 (D) [~~C~~] Section 22.011;
- 16 (E) [~~D~~] Section 22.021;
- 17 (F) [~~E~~] Section 25.02;
- 18 (G) [~~F~~] Section 30.02(d);
- 19 (H) [~~G~~] Section 43.05;
- 20 (I) [~~H~~] Section 43.25; or
- 21 (J) [~~I~~] Section 43.26;

22 (2) arrested for a felony described by Subdivision (1)  
23 after having been previously convicted of or placed on deferred  
24 adjudication for an offense described by Subdivision (1) or an

1 offense punishable under Section 30.02(c)(2), Penal Code; or

2 (3) convicted of an offense under Section 21.07 or  
3 21.08, Penal Code.

4 SECTION 2. The change in law made by this Act applies only  
5 to a defendant who is arrested or who is indicted or waives  
6 indictment on or after the effective date of this Act. A defendant  
7 who was arrested or who was indicted or waived indictment before the  
8 effective date of this Act is governed by the law in effect at the  
9 time the defendant was arrested, indicted, or waived indictment, as  
10 applicable, and the former law is continued in effect for that  
11 purpose.

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