

1-1 By: Miller, et al. (Senate Sponsor - Whitmire) H.B. No. 946
1-2 (In the Senate - Received from the House April 27, 2007;
1-3 May 1, 2007, read first time and referred to Committee on Criminal
1-4 Justice; May 21, 2007, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 21, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to conduct that constitutes the offense of endangering a
1-9 child.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 22.041(c-1), Penal Code, is amended to
1-12 read as follows:

1-13 (c-1) For purposes of Subsection (c), it is presumed that a
1-14 person engaged in conduct that places a child in imminent danger of
1-15 death, bodily injury, or physical or mental impairment if:

1-16 (1) the person manufactured, possessed, or in any way
1-17 introduced into the body of any person the controlled substance
1-18 methamphetamine in the presence of the child; or

1-19 (2) the person's conduct related to the proximity or
1-20 accessibility of the controlled substance methamphetamine to the
1-21 child and an analysis of a specimen of the child's blood, urine, or
1-22 other bodily substance indicates the presence of methamphetamine in
1-23 the child's body.

1-24 SECTION 2. The change in law made by this Act applies only
1-25 to an offense committed on or after the effective date of this Act.
1-26 An offense committed before the effective date of this Act is
1-27 governed by the law in effect when the offense was committed, and
1-28 the former law is continued in effect for that purpose. For
1-29 purposes of this section, an offense was committed before the
1-30 effective date of this Act if any element of the offense was
1-31 committed before that date.

1-32 SECTION 3. This Act takes effect September 1, 2007.

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