

By: Bohac

H.B. No. 1451

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of prostitution.

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

SECTION 1. Section 43.02(c), Penal Code, is amended to read as follows:

(c) An offense under this section is a Class B misdemeanor, unless the actor has previously been convicted one or two times of an offense under this section, in which event it is a Class A misdemeanor. If the actor has previously been convicted three or more times of an offense under this section, the offense is a state jail felony. If it is shown on the trial of an offense otherwise punishable as a Class B or Class A misdemeanor under this subsection that the actor committed the offense within 1,000 feet of a church, public or private primary or secondary school, day-care center or child-care facility, as those terms are defined by Section 42.002, Human Resources Code, or public park, the punishment for the offense is increased to the punishment prescribed for the next higher 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 governed 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 is committed before the

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1 effective date of this Act if any element of the offense occurs
2 before the effective date.

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