

By: Eiland

H.B. No. 2768

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution or the offense of criminal nonsupport.

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

SECTION 1. Section 25.05, Penal Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) An individual commits an offense if the individual intentionally or knowingly fails to provide support for:

(1) the individual's child younger than 18 years of age; ~~or~~

(2) ~~for~~ the individual's child who is the subject of a court order requiring the individual to support the child.

(a-1) For purposes of Subsection (a)(2), a person knowingly fails to provide support for the individual's child if the individual or entity that is designated in the court order to initially receive the child support payment has not received the payment on or before the due date specified by the court order.

SECTION 2. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act.

(b) 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 the 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 that date.

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