

By: Garcia

H.B. No. 3415

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the punishment for tampering with or fabricating
3 physical evidence.

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

5 SECTION 1. This Act may be cited as the Jennifer Cave Act.

6 SECTION 2. Section 37.09, Penal Code, is amended by
7 amending Subsection (c) and adding Subsection (e) to read as
8 follows:

9 (c) Except as provided by Subsection (e), an [An] offense
10 under Subsection (a) or Subsection (d)(1) is a felony of the third
11 degree. An offense under Subsection (d)(2) is a Class A
12 misdemeanor.

13 (e) An offense under Subsection (a)(1) is a felony of the
14 first degree if the physical evidence that is altered, destroyed,
15 or concealed is human remains.

16 SECTION 3. The change in law made by this Act applies only
17 to an offense committed on or after the effective date of this
18 Act. An offense committed before the effective date of this Act is
19 governed by the law in effect when the offense was committed, and
20 the former law is continued in effect for that purpose. For the
21 purposes of this section, an offense is committed before the
22 effective date of this Act if any element of the offense was
23 committed before that date.

24 SECTION 4. This Act takes effect September 1, 2007.