

1-1 By: West S.B. No. 130  
1-2 (In the Senate - Filed November 30, 2006; January 29, 2007,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 April 27, 2007, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 27, 2007,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 130 By: Ellis

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to conduct that constitutes the offense of endangering a  
1-11 child.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (c-1), Section 22.041, Penal Code, is  
1-14 amended to read as follows:

1-15 (c-1) For purposes of Subsection (c), it is presumed that a  
1-16 person engaged in conduct that places a child in imminent danger of  
1-17 death, bodily injury, or physical or mental impairment if the  
1-18 person, ~~[manufactured the controlled substance methamphetamine]~~ in  
1-19 the presence of the child:

1-20 (1) manufactured the controlled substance  
1-21 methamphetamine; or

1-22 (2) injected, ingested, inhaled, or otherwise  
1-23 introduced a controlled substance listed in Penalty Group 1,  
1-24 Section 481.102, Health and Safety Code, into the human body when  
1-25 the person was not in lawful possession of the substance as defined  
1-26 by Section 481.002(24) of that code.

1-27 SECTION 2. The change in law made by this Act applies only  
1-28 to an offense committed on or after the effective date of this Act.  
1-29 An offense committed before the effective date of this Act is  
1-30 governed by the law in effect when the offense was committed, and  
1-31 the former law is continued in effect for that purpose. For  
1-32 purposes of this section, an offense was committed before the  
1-33 effective date of this Act if any element of the offense was  
1-34 committed before that date.

1-35 SECTION 3. This Act takes effect September 1, 2007.

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