

By: Thompson

H.B. No. 983

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of 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; ~~i~~ 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), an individual knowingly fails to provide support for the individual's child if the individual knows or should have known that the individual or entity that is designated in the court order to initially receive a child support payment from the individual did not receive the payment on or before the fifth day after the due date for that payment as specified by the court order.

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

1 purposes of this section, an offense was committed before the
2 effective date of this Act if any element of the offense occurred
3 before that date.

4 SECTION 3. This Act takes effect September 1, 2009.