

By: Huffman

S.B. No. 1297

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the imposition of consecutive fines in sentencing a
3 defendant for offenses arising out of the same criminal episode.

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

5 SECTION 1. Section 3.03(a), Penal Code, is amended to read
6 as follows:

7 (a) When the accused is found guilty of more than one
8 offense arising out of the same criminal episode prosecuted in a
9 single criminal action, a sentence for each offense for which he has
10 been found guilty shall be pronounced. Except as provided by
11 Subsection (b) and Section 3.05, the sentences shall run
12 concurrently.

13 SECTION 2. Section 3.04(b), Penal Code, is amended to read
14 as follows:

15 (b) In the event of severance under this section, the
16 provisions of Section 3.03 do not apply, and, except as provided by
17 Section 3.05, the court in its discretion may order the sentences to
18 run either concurrently or consecutively.

19 SECTION 3. Chapter 3, Penal Code, is amended by adding
20 Section 3.05 to read as follows:

21 Sec. 3.05. IMPOSITION OF CONSECUTIVE FINES. If the
22 defendant is convicted of more than one offense arising out of the
23 same criminal episode, the fines imposed for the offenses run
24 consecutively.

1 SECTION 4. The change in law made by this Act applies only
2 to an offense committed on or after the effective date of this Act.
3 An offense committed before the effective date of this Act is
4 governed by the law in effect when the offense was committed, and
5 the former law is continued in effect for that purpose. For
6 purposes of this section, an offense was committed before the
7 effective date of this Act if any element of the offense occurred
8 before that date.

9 SECTION 5. This Act takes effect September 1, 2009.