

By: Huffman

S.B. No. 154

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

Sec. 3.05. IMPOSITION OF CONSECUTIVE FINES. If the defendant is convicted of more than one offense arising out of the same criminal episode, the fines imposed for the offenses run 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, 2011.