

1-1 By: Patrick S.B. No. 843
1-2 (In the Senate - Filed February 22, 2011; March 1, 2011,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 7, 2011, reported favorably by the following vote: Yeas 6,
1-5 Nays 1; April 7, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the prosecution of the offense of failure to identify.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subsection (a), Section 38.02, Penal Code, is
1-11 amended to read as follows:

1-12 (a) A person commits an offense if the person [~~he~~]
1-13 intentionally refuses to give the person's [~~his~~] name, residence
1-14 address, or date of birth to a peace officer who has:

1-15 (1) lawfully arrested or lawfully detained the person;
1-16 and

1-17 (2) requested the information.

1-18 SECTION 2. The change in law made by this Act applies only
1-19 to an offense committed on or after the effective date of this Act.
1-20 An offense committed before the effective date of this Act is
1-21 governed by the law in effect on the date the offense was committed,
1-22 and the former law is continued in effect for that purpose. For
1-23 purposes of this section, an offense was committed before the
1-24 effective date of this Act if any element of the offense occurred
1-25 before that date.

1-26 SECTION 3. This Act takes effect September 1, 2011.

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