

By: Murphy, Fletcher, Menendez, Carter

H.B. No. 734

A BILL TO BE ENTITLED

AN ACT

relating to enhancing the penalties for certain repeat and habitual
misdemeanor offenders.

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

SECTION 1. Section 12.43, Penal Code, is amended by
amending Subsections (a) and (b) and adding Subsection (b-1) to
read as follows:

(a) If it is shown on the trial of a Class A misdemeanor that
the defendant has been previously ~~[before]~~ convicted one time of a
Class A misdemeanor or any degree of felony, on conviction the
defendant ~~[he]~~ shall be punished by:

(1) a fine not to exceed \$4,000;

(2) confinement in jail for any term of not more than
one year or less than 90 days; or

(3) both such fine and confinement.

(b) If it is shown on the trial of a Class B misdemeanor that
the defendant has been previously ~~[before]~~ convicted one time of a
Class A or Class B misdemeanor or any degree of felony, on
conviction the defendant ~~[he]~~ shall be punished by:

(1) a fine not to exceed \$2,000;

(2) confinement in jail for any term of not more than
180 days or less than 30 days; or

(3) both such fine and confinement.

(b-1) If it is shown on the trial of a Class A or Class B

1 misdemeanor that the defendant has been previously convicted two or
2 more times of a Class A or Class B misdemeanor or any degree of
3 felony, on conviction the defendant shall be punished by:

4 (1) a fine of not more than \$4,000 and not less than
5 \$2,000;

6 (2) confinement in jail for any term of not more than
7 one year or less than 180 days; or

8 (3) both such fine and confinement.

9 SECTION 2. The change in law made by this Act applies only
10 to an offense committed on or after the effective date of this Act.
11 An offense committed before the effective date of this Act is
12 governed by the law in effect on the date the offense was committed,
13 and the former law is continued in effect for that purpose. For
14 purposes of this section, an offense was committed before the
15 effective date of this Act if any element of the offense occurred
16 before that date.

17 SECTION 3. This Act takes effect September 1, 2013.