

By: Workman

H.B. No. 1388

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the commitment of certain juveniles to local  
3 post-adjudication secure correctional facilities in certain  
4 counties and to the release under supervision of those juveniles.

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

6 SECTION 1. Section 51.13(d), Family Code, is amended to  
7 read as follows:

8 (d) An adjudication under Section 54.03 that a child engaged  
9 in conduct that occurred on or after January 1, 1996, and that  
10 constitutes a felony offense resulting in commitment to the Texas  
11 Juvenile Justice Department [~~Youth Commission~~] under Section  
12 54.04(d)(2), (d)(3), or (m) or 54.05(f) or commitment to a  
13 post-adjudication secure correctional facility under Section  
14 54.04011 is a final felony conviction only for the purposes of  
15 Sections 12.42(a), (b), and (c)(1) or Section 12.425 [~~, and (e)~~],  
16 Penal Code.

17 SECTION 2. Section 54.04, Family Code, is amended by  
18 amending Subsections (d) and (q) and adding Subsection (z) to read  
19 as follows:

20 (d) If the court or jury makes the finding specified in  
21 Subsection (c) allowing the court to make a disposition in the case:

22 (1) the court or jury may, in addition to any order  
23 required or authorized under Section 54.041 or 54.042, place the  
24 child on probation on such reasonable and lawful terms as the court

1 may determine:

2 (A) in the child's own home or in the custody of a  
3 relative or other fit person; or

4 (B) subject to the finding under Subsection (c)  
5 on the placement of the child outside the child's home, in:

6 (i) a suitable foster home;

7 (ii) a suitable public or private  
8 residential treatment facility licensed by a state governmental  
9 entity or exempted from licensure by state law, except a facility  
10 operated by the Texas Juvenile Justice Department [~~Youth~~  
11 ~~Commission~~]; or

12 (iii) a suitable public or private  
13 post-adjudication secure correctional facility that meets the  
14 requirements of Section 51.125, except a facility operated by the  
15 Texas Juvenile Justice Department [~~Youth Commission~~];

16 (2) if the court or jury found at the conclusion of the  
17 adjudication hearing that the child engaged in delinquent conduct  
18 that violates a penal law of this state or the United States of the  
19 grade of felony and if the petition was not approved by the grand  
20 jury under Section 53.045, the court may commit the child to the  
21 Texas Juvenile Justice Department [~~Youth Commission~~] without a  
22 determinate sentence;

23 (3) if the court or jury found at the conclusion of the  
24 adjudication hearing that the child engaged in delinquent conduct  
25 that included a violation of a penal law listed in Section 53.045(a)  
26 and if the petition was approved by the grand jury under Section  
27 53.045, the court or jury may sentence the child to commitment in

1 the Texas Juvenile Justice Department or a post-adjudication secure  
2 correctional facility under Section 54.04011(c)(2) [~~Youth~~  
3 ~~Commission~~] with a possible transfer to the Texas Department of  
4 Criminal Justice for a term of:

5 (A) not more than 40 years if the conduct  
6 constitutes:

7 (i) a capital felony;

8 (ii) a felony of the first degree; or

9 (iii) an aggravated controlled substance  
10 felony;

11 (B) not more than 20 years if the conduct  
12 constitutes a felony of the second degree; or

13 (C) not more than 10 years if the conduct  
14 constitutes a felony of the third degree;

15 (4) the court may assign the child an appropriate  
16 sanction level and sanctions as provided by the assignment  
17 guidelines in Section 59.003; or

18 (5) if applicable, the court or jury may make a  
19 disposition under Subsection (m).

20 (q) If a court or jury sentences a child to commitment in the  
21 Texas Juvenile Justice Department or a post-adjudication secure  
22 correctional facility [~~Youth Commission~~] under Subsection (d)(3)  
23 for a term of not more than 10 years, the court or jury may place the  
24 child on probation under Subsection (d)(1) as an alternative to  
25 making the disposition under Subsection (d)(3). The court shall  
26 prescribe the period of probation ordered under this subsection for  
27 a term of not more than 10 years. The court may, before the

1 sentence of probation expires, extend the probationary period under  
2 Section 54.05, except that the sentence of probation and any  
3 extension may not exceed 10 years. The court may, before the  
4 child's 19th birthday, discharge the child from the sentence of  
5 probation. If a sentence of probation ordered under this  
6 subsection and any extension of probation ordered under Section  
7 54.05 will continue after the child's 19th birthday, the court  
8 shall discharge the child from the sentence of probation on the  
9 child's 19th birthday unless the court transfers the child to an  
10 appropriate district court under Section 54.051.

11 (z) Nothing in this section may be construed to prohibit a  
12 juvenile court or jury to which Section 54.04011 applies from  
13 committing a child to a post-adjudication secure correctional  
14 facility in accordance with that section after a disposition  
15 hearing held in accordance with this section.

16 SECTION 3. Chapter 54, Family Code, is amended by adding  
17 Section 54.04011 to read as follows:

18 Sec. 54.04011. COMMITMENT TO POST-ADJUDICATION SECURE  
19 CORRECTIONAL FACILITY. (a) This section applies only to a county  
20 that has a population of at least 335,000.

21 (b) In this section, "post-adjudication secure correctional  
22 facility" means a facility operated by or under contract with a  
23 juvenile board or local juvenile probation department under Section  
24 152.0016, Human Resources Code.

25 (c) After a disposition hearing held in accordance with  
26 Section 54.04, the juvenile court of a county to which this section  
27 applies may commit a child who is found to have engaged in

1 delinquent conduct that constitutes a felony to a post-adjudication  
2 secure correctional facility:

3 (1) without a determinate sentence, if:

4 (A) the child is found to have engaged in conduct  
5 that violates a penal law of the grade of felony and the petition  
6 was not approved by the grand jury under Section 53.045;

7 (B) the child is found to have engaged in conduct  
8 that violates a penal law of the grade of felony and the petition  
9 was approved by the grand jury under Section 53.045 but the court or  
10 jury does not make the finding described by Section 54.04(m)(2); or

11 (C) the disposition is modified under Section  
12 54.05(f); or

13 (2) with a determinate sentence, if:

14 (A) the child is found to have engaged in conduct  
15 that included a violation of a penal law listed in Section 53.045 or  
16 that is considered habitual felony conduct as described by Section  
17 51.031, the petition was approved by the grand jury under Section  
18 53.045, and, if applicable, the court or jury makes the finding  
19 described by Section 54.04(m)(2); or

20 (B) the disposition is modified under Section  
21 54.05(f).

22 (d) Nothing in this section may be construed to prohibit:

23 (1) a juvenile court or jury from making a disposition  
24 under Section 54.04, including:

25 (A) placing a child on probation on such  
26 reasonable and lawful terms as the court may determine, including  
27 placement in a public or private post-adjudication secure

1 correctional facility under Section 54.04(d)(1)(B)(iii); or  
2 (B) placing a child adjudicated under Section  
3 54.04(d)(3) or (m) on probation for a term of not more than 10  
4 years, as provided in Section 54.04(q); or  
5 (2) the attorney representing the state from filing a  
6 motion concerning a child who has been placed on probation under  
7 Section 54.04(q) or the juvenile court from holding a hearing under  
8 Section 54.051(a).

9 SECTION 4. Sections 54.05(b), (f), (j), and (m), Family  
10 Code, are amended to read as follows:

11 (b) Except for a commitment to the Texas Juvenile Justice  
12 Department or to a post-adjudication secure correctional facility  
13 under Section 54.04011, [~~Youth Commission or~~] a disposition under  
14 Section 54.0402, or a placement on determinate sentence probation  
15 under Section 54.04(q), all dispositions automatically terminate  
16 when the child reaches the child's 18th birthday.

17 (f) Except as provided by Subsection (j), a disposition  
18 based on a finding that the child engaged in delinquent conduct that  
19 violates a penal law of this state or the United States of the grade  
20 of felony may be modified so as to commit the child to the Texas  
21 Juvenile Justice Department or, if applicable, a post-adjudication  
22 secure correctional facility operated under Section 152.0016,  
23 Human Resources Code, [~~Youth Commission~~] if the court after a  
24 hearing to modify disposition finds by a preponderance of the  
25 evidence that the child violated a reasonable and lawful order of  
26 the court. A disposition based on a finding that the child engaged  
27 in habitual felony conduct as described by Section 51.031 or in

1 delinquent conduct that included a violation of a penal law listed  
2 in Section 53.045(a) may be modified to commit the child to the  
3 Texas Juvenile Justice Department or, if applicable, a  
4 post-adjudication secure correctional facility operated under  
5 Section 152.0016, Human Resources Code, [~~Youth Commission~~] with a  
6 possible transfer to the Texas Department of Criminal Justice for a  
7 definite term prescribed by, as applicable, Section 54.04(d)(3) or  
8 Section 152.0016(g), Human Resources Code, if the original petition  
9 was approved by the grand jury under Section 53.045 and if after a  
10 hearing to modify the disposition the court finds that the child  
11 violated a reasonable and lawful order of the court.

12 (j) If, after conducting a hearing to modify disposition  
13 without a jury, the court finds by a preponderance of the evidence  
14 that a child violated a reasonable and lawful condition of  
15 probation ordered under Section 54.04(q), the court may modify the  
16 disposition to commit the child to the Texas Juvenile Justice  
17 Department [~~Youth Commission~~] under Section 54.04(d)(3) or, if  
18 applicable, a post-adjudication secure correctional facility  
19 operated under Section 152.0016, Human Resources Code, for a term  
20 that does not exceed the original sentence assessed by the court or  
21 jury.

22 (m) If the court places the child on probation outside the  
23 child's home or commits the child to the Texas Juvenile Justice  
24 Department or to a post-adjudication secure correctional facility  
25 operated under Section 152.0016, Human Resources Code [~~Youth~~  
26 Commission], the court:

27 (1) shall include in the court's order a determination

1 that:

2 (A) it is in the child's best interests to be  
3 placed outside the child's home;

4 (B) reasonable efforts were made to prevent or  
5 eliminate the need for the child's removal from the child's home and  
6 to make it possible for the child to return home; and

7 (C) the child, in the child's home, cannot be  
8 provided the quality of care and level of support and supervision  
9 that the child needs to meet the conditions of probation; and

10 (2) may approve an administrative body to conduct a  
11 permanency hearing pursuant to 42 U.S.C. Section 675 if required  
12 during the placement or commitment of the child.

13 SECTION 5. Sections 54.052(a), (b), and (d), Family Code,  
14 are amended to read as follows:

15 (a) This section applies only to a child who is committed  
16 to:

17 (1) the Texas Juvenile Justice Department [~~Youth~~  
18 ~~Commission~~] under a determinate sentence under Section 54.04(d)(3)  
19 or (m) or Section 54.05(f); or

20 (2) a post-adjudication secure correctional facility  
21 under a determinate sentence under Section 54.04011(c)(2).

22 (b) The judge of the court in which a child is adjudicated  
23 shall give the child credit on the child's sentence for the time  
24 spent by the child, in connection with the conduct for which the  
25 child was adjudicated, in a secure detention facility before the  
26 child's transfer to a Texas Juvenile Justice Department [~~Youth~~  
27 ~~Commission~~] facility or a post-adjudication secure correctional



1 facility, as applicable.

2 (d) The Texas Juvenile Justice Department or the juvenile  
3 board or local juvenile probation department operating or  
4 contracting for the operation of the post-adjudication secure  
5 correctional facility under Section 152.0016, Human Resources  
6 Code, as applicable, [~~Youth Commission~~] shall grant any credit  
7 under this section in computing the child's eligibility for parole  
8 and discharge.

9 SECTION 6. Sections 54.11(a), (h), (i), (j), and (k),  
10 Family Code, are amended to read as follows:

11 (a) On receipt of a referral under Section 244.014(a), Human  
12 Resources Code, for the transfer to the Texas Department of  
13 Criminal Justice of a person committed to the Texas Juvenile  
14 Justice Department under Section 54.04(d)(3), 54.04(m), or  
15 54.05(f), [~~or~~] on receipt of a request by the Texas Juvenile Justice  
16 Department under Section 245.051(d), Human Resources Code, for  
17 approval of the release under supervision of a person committed to  
18 the Texas Juvenile Justice Department under Section 54.04(d)(3),  
19 54.04(m), or 54.05(f), or on receipt of a referral under Section  
20 152.0016(i), Human Resources Code, the court shall set a time and  
21 place for a hearing on the release of the person.

22 (h) The hearing on a person who is referred for transfer  
23 under Section 152.0016(i) or 244.014(a), Human Resources Code,  
24 shall be held not later than the 60th day after the date the court  
25 receives the referral.

26 (i) On conclusion of the hearing on a person who is referred  
27 for transfer under Section 152.0016(i) or 244.014(a), Human

1 Resources Code, the court may, as applicable, order:

2 (1) the return of the person to the Texas Juvenile  
3 Justice Department or post-adjudication secure correctional  
4 facility; or

5 (2) the transfer of the person to the custody of the  
6 Texas Department of Criminal Justice for the completion of the  
7 person's sentence.

8 (j) On conclusion of the hearing on a person who is referred  
9 for release under supervision under Section 152.0016(i) or  
10 245.051(c), Human Resources Code, the court may, as applicable,  
11 order the return of the person to the Texas Juvenile Justice  
12 Department or post-adjudication secure correctional facility:

13 (1) with approval for the release of the person under  
14 supervision; or

15 (2) without approval for the release of the person  
16 under supervision.

17 (k) In making a determination under this section, the court  
18 may consider the experiences and character of the person before and  
19 after commitment to the Texas Juvenile Justice Department or  
20 post-adjudication secure correctional facility [~~youth commission~~],  
21 the nature of the penal offense that the person was found to have  
22 committed and the manner in which the offense was committed, the  
23 abilities of the person to contribute to society, the protection of  
24 the victim of the offense or any member of the victim's family, the  
25 recommendations of the Texas Juvenile Justice Department, county  
26 juvenile board, local juvenile probation department, [~~youth~~  
27 ~~commission~~] and prosecuting attorney, the best interests of the

1 person, and any other factor relevant to the issue to be decided.

2 SECTION 7. Section 59.009, Family Code, is amended to read  
3 as follows:

4 Sec. 59.009. SANCTION LEVEL SIX. (a) For a child at  
5 sanction level six, the juvenile court may commit the child to the  
6 custody of the Texas Juvenile Justice Department or a  
7 post-adjudication secure correctional facility under Section  
8 54.04011 [Youth Commission]. The department, juvenile board, or  
9 local juvenile probation department, as applicable, [commission]  
10 may:

11 (1) require the child to participate in a highly  
12 structured residential program that emphasizes discipline,  
13 accountability, fitness, training, and productive work for not less  
14 than nine months or more than 24 months unless the department,  
15 board, or probation department [commission] extends the period and  
16 the reason for an extension is documented;

17 (2) require the child to make restitution to the  
18 victim of the child's conduct or perform community service  
19 restitution appropriate to the nature and degree of the harm caused  
20 and according to the child's ability, if there is a victim of the  
21 child's conduct;

22 (3) require the child and the child's parents or  
23 guardians to participate in programs and services for their  
24 particular needs and circumstances; and

25 (4) if appropriate, impose additional sanctions.

26 (b) On release of the child under supervision, the Texas  
27 Juvenile Justice Department [Youth Commission] parole programs or

1 the juvenile board or local juvenile probation department operating  
2 parole programs under Section 152.0016(c)(2), Human Resources  
3 Code, may:

4 (1) impose highly structured restrictions on the  
5 child's activities and requirements for behavior of the child as  
6 conditions of release under supervision;

7 (2) require a parole officer to closely monitor the  
8 child for not less than six months; and

9 (3) if appropriate, impose any other conditions of  
10 supervision.

11 (c) The Texas Juvenile Justice Department, juvenile board,  
12 or local juvenile probation department [~~Youth Commission~~] may  
13 discharge the child from the [~~commission's~~] custody of the  
14 department, board, or probation department, as applicable, on the  
15 date the provisions of this section are met or on the child's 19th  
16 birthday, whichever is earlier.

17 SECTION 8. Section 59.010, Family Code, is amended to read  
18 as follows:

19 Sec. 59.010. SANCTION LEVEL SEVEN. (a) For a child at  
20 sanction level seven, the juvenile court may certify and transfer  
21 the child under Section 54.02 or sentence the child to commitment to  
22 the Texas Juvenile Justice Department [~~Youth Commission~~] under  
23 Section 54.04(d)(3), 54.04(m), or 54.05(f) or to a  
24 post-adjudication secure correctional facility under Section  
25 54.04011. The department, juvenile board, or local juvenile  
26 probation department, as applicable, [~~commission~~] may:

27 (1) require the child to participate in a highly

1 structured residential program that emphasizes discipline,  
2 accountability, fitness, training, and productive work for not less  
3 than 12 months or more than 10 years unless the department, board,  
4 or probation department [~~commission~~] extends the period and the  
5 reason for the extension is documented;

6 (2) require the child to make restitution to the  
7 victim of the child's conduct or perform community service  
8 restitution appropriate to the nature and degree of harm caused and  
9 according to the child's ability, if there is a victim of the  
10 child's conduct;

11 (3) require the child and the child's parents or  
12 guardians to participate in programs and services for their  
13 particular needs and circumstances; and

14 (4) impose any other appropriate sanction.

15 (b) On release of the child under supervision, the Texas  
16 Juvenile Justice Department [~~Youth Commission~~] parole programs or  
17 the juvenile board or local juvenile probation department parole  
18 programs under Section 152.0016(c)(2), Human Resources Code, may:

19 (1) impose highly structured restrictions on the  
20 child's activities and requirements for behavior of the child as  
21 conditions of release under supervision;

22 (2) require a parole officer to monitor the child  
23 closely for not less than 12 months; and

24 (3) impose any other appropriate condition of  
25 supervision.

26 SECTION 9. Section 841.003(b), Health and Safety Code, is  
27 amended to read as follows:

1 (b) A person is a repeat sexually violent offender for the  
2 purposes of this chapter if the person is convicted of more than one  
3 sexually violent offense and a sentence is imposed for at least one  
4 of the offenses or if:

5 (1) the person:

6 (A) is convicted of a sexually violent offense,  
7 regardless of whether the sentence for the offense was ever imposed  
8 or whether the sentence was probated and the person was  
9 subsequently discharged from community supervision;

10 (B) enters a plea of guilty or nolo contendere  
11 for a sexually violent offense in return for a grant of deferred  
12 adjudication;

13 (C) is adjudged not guilty by reason of insanity  
14 of a sexually violent offense; or

15 (D) is adjudicated by a juvenile court as having  
16 engaged in delinquent conduct constituting a sexually violent  
17 offense and is committed to the Texas Juvenile Justice Department  
18 [~~Youth Commission~~] under Section 54.04(d)(3) or (m), Family Code,  
19 or to a post-adjudication secure correctional facility under  
20 Section 54.04011(c)(2), Family Code; and

21 (2) after the date on which under Subdivision (1) the  
22 person is convicted, receives a grant of deferred adjudication, is  
23 adjudged not guilty by reason of insanity, or is adjudicated by a  
24 juvenile court as having engaged in delinquent conduct, the person  
25 commits a sexually violent offense for which the person:

26 (A) is convicted, but only if the sentence for  
27 the offense is imposed; or

1 (B) is adjudged not guilty by reason of insanity.

2 SECTION 10. Subchapter A, Chapter 152, Human Resources  
3 Code, is amended by adding Section 152.0016 to read as follows:

4 Sec. 152.0016. POST-ADJUDICATION SECURE CORRECTIONAL  
5 FACILITIES; RELEASE UNDER SUPERVISION. (a) This section applies  
6 only to a county that has a population of at least 335,000.

7 (b) In this section, "post-adjudication secure correctional  
8 facility" means a facility operated by or under contract with a  
9 juvenile board or local juvenile probation department in accordance  
10 with Section 51.125, Family Code.

11 (c) A juvenile board or a local juvenile probation  
12 department that serves a county to which this section applies may:

13 (1) operate or contract for the operation of a  
14 post-adjudication secure correctional facility to confine children  
15 committed to the facility under Section 54.04011, Family Code; and

16 (2) operate a program through which a child committed  
17 to a post-adjudication secure correctional facility under Section  
18 54.04011, Family Code, may be released under supervision and place  
19 the child in the child's home or in any situation or family approved  
20 by the juvenile board or local juvenile probation department.

21 (d) Before placing a child in the child's home under  
22 Subsection (c)(2), the juvenile board or local juvenile probation  
23 department shall evaluate the home setting to determine the level  
24 of supervision and quality of care that is available in the home.

25 (e) A juvenile board or a local juvenile probation  
26 department shall accept a person properly committed to it by a  
27 juvenile court under Section 54.04011, Family Code, in the same

1 manner in which the Texas Juvenile Justice Department accepts a  
2 person under Section 54.04(e), Family Code, even though the person  
3 may be 17 years of age or older at the time of the commitment.

4 (f) A juvenile board or a local juvenile probation  
5 department shall establish a minimum length of stay for each child  
6 committed without a determinate sentence under Section  
7 54.04011(c)(1), Family Code, in the same manner that the Texas  
8 Juvenile Justice Department determines a minimum length of stay for  
9 a child committed to the department under Section 243.002.

10 (g) Except as provided by Subsection (h), if a child is  
11 committed to a post-adjudication secure correctional facility  
12 under Section 54.04011(c)(2), Family Code, the local juvenile  
13 probation department may not release the child under supervision  
14 without approval by the juvenile court that entered the order of  
15 commitment under Section 54.04011, Family Code, unless the child  
16 has been confined not less than:

17 (1) 10 years for capital murder;

18 (2) three years for an aggravated controlled substance  
19 felony or a felony of the first degree;

20 (3) two years for a felony of the second degree; and

21 (4) one year for a felony of the third degree.

22 (h) The juvenile board or local juvenile probation  
23 department may release a child who has been committed to a  
24 post-adjudication secure correctional facility with a determinate  
25 sentence under Section 54.04011(c)(2), Family Code, under  
26 supervision without approval of the juvenile court that entered the  
27 order of commitment if not more than nine months remain before the



1 child's discharge as provided by Section 245.051(g).

2 (i) The juvenile board or local juvenile probation  
3 department may resume the care and custody of any child released  
4 under supervision at any time before the final discharge of the  
5 child in accordance with the rules governing the Texas Juvenile  
6 Justice Department regarding resumption of care.

7 (j) After a child committed to a post-adjudication secure  
8 correctional facility with a determinate sentence under Section  
9 54.04011(c)(2), Family Code, becomes 16 years of age but before the  
10 child becomes 19 years of age, the juvenile board or local juvenile  
11 probation department operating or contracting for the operation of  
12 the facility may refer the child to the juvenile court that entered  
13 the order of commitment for approval of the child's transfer to the  
14 Texas Department of Criminal Justice for confinement if the child  
15 has not completed the sentence and:

16 (1) the child's conduct, regardless of whether the  
17 child was released under supervision through a program established  
18 by the board or department, indicates that the welfare of the  
19 community requires the transfer; or

20 (2) while the child was released under supervision:

21 (A) a juvenile court adjudicated the child as  
22 having engaged in delinquent conduct constituting a felony offense;

23 (B) a criminal court convicted the child of a  
24 felony offense; or

25 (C) the child's release under supervision was  
26 revoked.

27 (k) A juvenile board or local juvenile probation department

1 operating or contracting for the operation of a post-adjudication  
2 secure correctional facility under this section shall develop a  
3 comprehensive plan for each child committed to the facility under  
4 Section 54.04011, Family Code, regardless of whether the child is  
5 committed with or without a determinate sentence, to reduce  
6 recidivism and ensure the successful reentry and reintegration of  
7 the child into the community following the child's release under  
8 supervision or final discharge from the facility, as applicable.

9 (1) Notwithstanding any other law, a juvenile board or local  
10 juvenile probation department operating or contracting for the  
11 operation of a post-adjudication secure correctional facility may  
12 confine a child committed to the facility with or without a  
13 determinate sentence under Section 54.04011(c), Family Code, until  
14 the child's 19th birthday.

15 SECTION 11. Section 12.42(f), Penal Code, is amended to  
16 read as follows:

17 (f) For the purposes of Subsections (a), (b), and (c)(1),  
18 [~~and (e),~~] an adjudication by a juvenile court under Section 54.03,  
19 Family Code, that a child engaged in delinquent conduct on or after  
20 January 1, 1996, constituting a felony offense for which the child  
21 is committed to the Texas Juvenile Justice Department [~~Youth~~  
22 ~~Commission~~] under Section 54.04(d)(2), (d)(3), or (m), Family Code,  
23 or Section 54.05(f), Family Code, or to a post-adjudication secure  
24 correctional facility under Section 54.04011, Family Code, is a  
25 final felony conviction.

26 SECTION 12. The changes in law made by this Act apply only  
27 to conduct that occurs on or after the effective date of this Act.

1 Conduct that occurs before the effective date of this Act is covered  
2 by the law in effect at the time the conduct occurred, and the  
3 former law is continued in effect for that purpose. For the  
4 purposes of this section, conduct occurs before the effective date  
5 of this Act if any element of the conduct occurred before that date.

6 SECTION 13. This Act takes effect December 1, 2013.