

By: Branch, Herrero, Fletcher, Carter,  
et al.

H.B. No. 1748

Substitute the following for H.B. No. 1748:

By: Herrero

C.S.H.B. No. 1748

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the punishment for defendants who commit certain  
3 aggravated sexual assaults.

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

5 SECTION 1. This Act shall be known as Chelsea's Law.

6 SECTION 2. Sections 22.021(e) and (f), Penal Code, are  
7 amended to read as follows:

8 (e) An offense under this section is a felony of the first  
9 degree, except as provided by Subsection (f).

10 (f)(1) An offense under this section is a felony of the  
11 first degree, punishable by imprisonment in the Texas Department of  
12 Criminal Justice for life or for any term of not more than 99 years  
13 or less than [The minimum term of imprisonment for an offense under  
14 this section is increased to] 25 years, if at the time of the  
15 offense the defendant is younger than 18 years of age and:

16 (A) ~~[(1)]~~ the victim of the offense is younger  
17 than six years of age ~~[at the time the offense is committed]~~; or

18 (B) ~~[(2)]~~ the victim of the offense is younger  
19 than 14 years of age ~~[at the time the offense is committed]~~ and the  
20 actor commits the offense in a manner described by Subsection  
21 (a)(2)(A).

22 (2) An offense under this section is a felony of the  
23 first degree, punishable by imprisonment in the Texas Department of  
24 Criminal Justice for life without parole, if at the time of the

1 offense the defendant is 18 years of age or older and:

2 (A) the victim of the offense is younger than six  
3 years of age;

4 (B) the victim of the offense is younger than 14  
5 years of age and the actor commits the offense in a manner described  
6 by Subsection (a)(2)(A); or

7 (C) the victim of the offense is younger than 17  
8 years of age and suffered serious bodily injury as a result of the  
9 offense.

10 SECTION 3. The change in law made by this Act applies only  
11 to an offense committed on or after the effective date of this Act.  
12 An offense committed before the effective date of this Act is  
13 governed by the law in effect on the date the offense was committed,  
14 and the former law is continued in effect for that purpose. For  
15 purposes of this section, an offense was committed before the  
16 effective date of this Act if any element of the offense occurred  
17 before that date.

18 SECTION 4. This Act takes effect September 1, 2013.