

By: Davis of Dallas

H.B. No. 2596

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for defendants who commit aggravated sexual assault.

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

SECTION 1. Section 499.054(b), Government Code, is amended to read as follows:

(b) The department shall establish a sex offender treatment program to treat inmates who are serving sentences for offenses punishable under Section 21.02(h) [~~or 22.021(f)~~], Penal Code. The department shall require an inmate described by this subsection to participate in and complete the sex offender treatment program before being released from the department.

SECTION 2. Section 508.145(a), Government Code, is amended to read as follows:

(a) An inmate under sentence of death, serving a sentence of life imprisonment without parole, serving a sentence for an offense under Section 21.02, Penal Code, or serving a sentence for an offense under Section 22.021, Penal Code, that is punishable under Subsection (e) or (f) of that section is not eligible for release on parole.

SECTION 3. Sections 22.021(e) and (f), Penal Code, are amended to read as follows:

(e) An offense under this section is a felony of the first degree with a [↯

1        [~~(f) The~~] minimum term of imprisonment of [~~for an offense~~  
2 ~~under this section is increased to~~] 25 years, except as provided by  
3 Subsection (f).

4        (f) An offense under this section is a felony of the first  
5 degree punishable by imprisonment in the Texas Department of  
6 Criminal Justice for life without parole if at the time of the  
7 offense the defendant is 17 years of age or older and:

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

10           (2) the victim of the offense is younger than 14 years  
11 of age [~~at the time the offense is committed~~] and the actor commits  
12 the offense in a manner described by Subsection (a)(2)(A).

13        SECTION 4. The change in law made by this Act applies only  
14 to an offense committed on or after the effective date of this Act.  
15 An offense committed before the effective date of this Act is  
16 governed by the law in effect on the date the offense was committed,  
17 and the former law is continued in effect for that purpose. For  
18 purposes of this section, an offense was committed before the  
19 effective date of this Act if any element of the offense occurred  
20 before that date.

21        SECTION 5. This Act takes effect September 1, 2013.