

By: Moody

H.B. No. 2678

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of certain offenses committed against a person in custody.

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

SECTION 1. Section 39.04(e)(1), Penal Code, is amended to read as follows:

(1) "Correctional facility" means:

(A) any place described by Section 1.07(a)(14);

~~or~~

(B) any place or facility designated for the detention of a person suspected of violating a provision of the Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.); or

(C) a "secure correctional facility" or "secure detention facility" as defined by Section 51.02, Family Code.

SECTION 2. Section 8B(a), Article 18.20, Code of Criminal Procedure, is amended to read as follows:

(a) In this section, "correctional facility" means:

(1) any place described by Section 1.07(a)(14), Penal Code; or

(2) a "secure correctional facility" or "secure detention facility" as defined by Section 51.02, Family Code ~~[has the meaning assigned by Section 39.04(e), Penal Code].~~

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act.

1 An offense committed before the effective date of this Act is
2 governed by the law in effect on the date the offense was committed,
3 and the former law is continued in effect for that purpose. For
4 purposes of this section, an offense was committed before the
5 effective date of this Act if any element of the offense occurred
6 before that date.

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