

By: Ellis

S.B. No. 721

A BILL TO BE ENTITLED

AN ACT

relating to the insanity defense in a criminal case.

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

SECTION 1. Section 8.01(a), Penal Code, is amended to read as follows:

(a) It is an affirmative defense to prosecution that, at the time of the conduct charged, the actor, as a result of severe mental disease or defect, did not appreciate [~~know~~] that the actor's [~~his~~] conduct was either legally or morally wrong.

SECTION 2. The change in law made by this Act in amending Section 8.01(a), Penal Code, applies only to a defendant acquitted of an offense committed on or after the effective date of this Act. A defendant acquitted of an offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

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