

By: Riddle

H.B. No. 777

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the punishment for the offense of indecent exposure.

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

4 SECTION 1. Section 21.08, Penal Code, is amended by  
5 amending Subsection (b) and adding Subsection (c) to read as  
6 follows:

7 (b) An offense under this section is a Class B misdemeanor,  
8 except that the offense is:

9 (1) a Class A misdemeanor if it is shown on the trial  
10 of the offense that the defendant has been previously convicted one  
11 time of an offense under this section; and

12 (2) a state jail felony if it is shown on the trial of  
13 the offense that the defendant has been previously convicted two or  
14 more times of an offense under this section.

15 (c) For purposes of Subsection (b), a defendant has been  
16 previously convicted under this section if the defendant was  
17 adjudged guilty of the offense or entered a plea of guilty or nolo  
18 contendere in return for a grant of deferred adjudication,  
19 regardless of whether the sentence for the offense was ever imposed  
20 or whether the sentence was probated and the defendant was  
21 subsequently discharged from community supervision.

22 SECTION 2. The change in law made by this Act applies only  
23 to an offense committed on or after the effective date of this Act.  
24 An offense committed before the effective date of this Act is

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

5 SECTION 3. This Act takes effect September 1, 2015.