

By: Herrero

H.B. No. 3046

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of failure to identify;
creating a criminal offense.

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

SECTION 1. Section 38.02(a), Penal Code, is amended to read
as follows:

(a) A person commits an offense if the person ~~[he]~~
intentionally refuses to give the person's ~~[his]~~ name, residence
address, or date of birth to a peace officer who has ~~[lawfully~~
~~arrested the person and]~~ requested the information from the person
and:

- (1) has lawfully arrested the person;
- (2) has lawfully detained the person; or
- (3) has good cause to believe that the person is a
witness to a criminal offense.

SECTION 2. The change in law made by this Act applies only
to an offense committed on or after the effective date of this Act.
An offense committed before the effective date of this Act is
governed by the law in effect on the date 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, 2015.