

By: Swanson

H.B. No. 138

A BILL TO BE ENTITLED

AN ACT

1
2 relating to partial-birth abortions and dismemberment abortions;
3 increasing a criminal penalty.

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

5 SECTION 1. Section 171.103, Health and Safety Code, as
6 effective September 1, 2017, is amended to read as follows:

7 Sec. 171.103. CRIMINAL PENALTY. A person who violates
8 Section 171.102 commits an offense. An offense under this section
9 is a [~~state jail~~] felony of the second degree.

10 SECTION 2. Section 171.153(b), Health and Safety Code, as
11 effective September 1, 2017, is amended to read as follows:

12 (b) An offense under this section is a [~~state jail~~] felony
13 of the second degree.

14 SECTION 3. The changes in law made by this Act apply only to
15 an offense committed on or after the effective date of this Act. An
16 offense committed before the effective date of this Act is governed
17 by the law in effect on the date the offense was committed, and the
18 former law is continued in effect for that purpose. For purposes of
19 this section, an offense was committed before the effective date of
20 this Act if any element of the offense occurred before that date.

21 SECTION 4. This Act takes effect December 1, 2017.