

By: Blanco

H.B. No. 3039

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the court-martial of a member of the state military forces on the basis of the member's report of a sexual assault.

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

SECTION 1. Subchapter J, Chapter 432, Government Code, is amended by adding Section 432.1211 to read as follows:

Sec. 432.1211. REPORT OF SEXUAL ASSAULT. A person subject to this chapter may not be held for trial by court-martial or punished under this chapter for an offense based solely on the person's conduct of filing a report as a victim of or witness to an incident of sexual assault.

SECTION 2. The change in law made by this Act applies to an offense under Chapter 432, Government Code, committed before, on, or after the effective date of this Act, except that a final conviction for an offense under Chapter 432, Government Code, that exists on the effective date of this Act is unaffected by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.