

By: Creighton

S.B. No. 2221

A BILL TO BE ENTITLED

AN ACT

relating to increasing the punishment for certain sexual offenses committed against a child with a disability.

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

SECTION 1. Section 21.11, Penal Code, is amended by adding Subsection (e) to read as follows:

(e) An offense under this section is increased to the next higher category of offense if it is shown on the trial of the offense that the offense was committed against a disabled individual, as defined by Section 22.04.

SECTION 2. Section 22.011(f), Penal Code, is amended to read as follows:

(f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if:

(1) the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01; or

(2) the offense is committed under Subsection (a)(2) against a disabled individual, as defined by Section 22.04.

SECTION 3. The changes in law made by this Act apply 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

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

5 SECTION 4. This Act takes effect September 1, 2017.