

1-1 By: King of Hemphill, Flynn, Guillen H.B. No. 667
 1-2 (Senate Sponsor - Perry)
 1-3 (In the Senate - Received from the House April 23, 2019;
 1-4 April 24, 2019, read first time and referred to Committee on
 1-5 Criminal Justice; May 15, 2019, reported favorably by the
 1-6 following vote: Yeas 6, Nays 0; May 15, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the prosecution of and punishment for the offense of
 1-19 sexual assault; enhancing a criminal penalty.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. This Act shall be known as Melissa's Law.

1-22 SECTION 2. Sections 22.011(e) and (f), Penal Code, are
 1-23 amended to read as follows:

1-24 (e) It is an affirmative defense to prosecution under
 1-25 Subsection (a)(2):

1-26 (1) that the actor was the spouse of the child at the
 1-27 time of the offense; or

1-28 (2) that:

1-29 (A) the actor was not more than three years older
 1-30 than the victim and at the time of the offense:

1-31 (i) was not required under Chapter 62, Code
 1-32 of Criminal Procedure, to register for life as a sex offender; or

1-33 (ii) was not a person who under Chapter 62,
 1-34 Code of Criminal Procedure, had a reportable conviction or
 1-35 adjudication for an offense under this section; and

1-36 (B) the victim:

1-37 (i) was a child of 14 years of age or older;
 1-38 and

1-39 (ii) was not:

1-40 (a) a person whom the actor was
 1-41 prohibited from marrying or purporting to marry or with whom the
 1-42 actor was prohibited from living under the appearance of being
 1-43 married under Section 25.01; or

1-44 (b) a person with whom the actor was
 1-45 prohibited from engaging in sexual intercourse or deviate sexual
 1-46 intercourse under Section 25.02.

1-47 (f) An offense under this section is a felony of the second
 1-48 degree, except that an offense under this section is a felony of the
 1-49 first degree if the victim was:

1-50 (1) a person whom the actor was prohibited from
 1-51 marrying or purporting to marry or with whom the actor was
 1-52 prohibited from living under the appearance of being married under
 1-53 Section 25.01; or

1-54 (2) a person with whom the actor was prohibited from
 1-55 engaging in sexual intercourse or deviate sexual intercourse under
 1-56 Section 25.02.

1-57 SECTION 3. The changes in law made by this Act apply only to
 1-58 an offense committed on or after the effective date of this Act. An
 1-59 offense committed before the effective date of this Act is governed
 1-60 by the law in effect when the offense was committed, and the former
 1-61 law is continued in effect for that purpose. For purposes of this

2-1 section, an offense was committed before the effective date of this
2-2 Act if any element of the offense occurred before that date.
2-3 SECTION 4. This Act takes effect September 1, 2019.

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