

AN ACT

relating to the creation of DNA records for certain defendants for inclusion in the DNA database system.

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

SECTION 1. Section 411.1471(a), Government Code, is amended to read as follows:

(a) This section applies to a defendant who is:

(1) indicted or waives indictment for a felony prohibited or punishable under any of the following Penal Code sections:

(A) Section 20.04(a)(4);

(B) Section 21.11;

(C) Section 22.011;

(D) Section 22.021;

(E) Section 25.02;

(F) Section 30.02(d);

(G) Section 43.05;

(H) Section 43.25;

(I) Section 43.26;

(J) Section 21.02; or

(K) Section 20A.03;

(2) arrested for a felony described by Subdivision (1) after having been previously convicted of or placed on deferred adjudication for an offense described by Subdivision (1) or an

1 offense punishable under Section 30.02(c)(2), Penal Code; or

2 (3) convicted of an offense:

3 (A) under Title 5, Penal Code, other than an  
4 offense described by Subdivision (1), that is punishable as a Class  
5 A misdemeanor or any higher category of offense, except for an  
6 offense punishable as a Class A misdemeanor under Section [~~20.02,~~  
7 ~~22.01, or~~] 22.05, Penal Code; or

8 (B) under Section 21.08, 25.04, 43.02(b), 43.03,  
9 or 43.24, Penal Code.

10 SECTION 2. The change in law made by this Act applies only  
11 to an offense committed on or after the effective date of this Act.  
12 An offense committed before the effective date of this Act is  
13 governed by the law in effect on the date the offense was committed,  
14 and the former law is continued in effect for that purpose. For  
15 purposes of this section, an offense was committed before the  
16 effective date of this Act if any element of the offense occurred  
17 before that date.

18 SECTION 3. This Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 979 was passed by the House on April 17, 2019, by the following vote: Yeas 123, Nays 19, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 979 was passed by the Senate on May 15, 2019, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor