

1-1 By: Hernandez, Smith (Senate Sponsor - Perry) H.B. No. 979
 1-2 (In the Senate - Received from the House April 23, 2019;
 1-3 April 24, 2019, read first time and referred to Committee on
 1-4 Criminal Justice; May 9, 2019, reported favorably by the following
 1-5 vote: Yeas 5, Nays 0; May 9, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12			X	
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the creation of DNA records for certain defendants for
 1-18 inclusion in the DNA database system.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 411.1471(a), Government Code, is amended
 1-21 to read as follows:

1-22 (a) This section applies to a defendant who is:

1-23 (1) indicted or waives indictment for a felony
 1-24 prohibited or punishable under any of the following Penal Code
 1-25 sections:

- 1-26 (A) Section 20.04(a)(4);
- 1-27 (B) Section 21.11;
- 1-28 (C) Section 22.011;
- 1-29 (D) Section 22.021;
- 1-30 (E) Section 25.02;
- 1-31 (F) Section 30.02(d);
- 1-32 (G) Section 43.05;
- 1-33 (H) Section 43.25;
- 1-34 (I) Section 43.26;
- 1-35 (J) Section 21.02; or
- 1-36 (K) Section 20A.03;

1-37 (2) arrested for a felony described by Subdivision (1)
 1-38 after having been previously convicted of or placed on deferred
 1-39 adjudication for an offense described by Subdivision (1) or an
 1-40 offense punishable under Section 30.02(c)(2), Penal Code; or

1-41 (3) convicted of an offense:

1-42 (A) under Title 5, Penal Code, other than an
 1-43 offense described by Subdivision (1), that is punishable as a Class
 1-44 A misdemeanor or any higher category of offense, except for an
 1-45 offense punishable as a Class A misdemeanor under Section [~~20.02,~~
 1-46 ~~22.01, or~~ 22.05, Penal Code; or

1-47 (B) under Section 21.08, 25.04, 43.02(b), 43.03,
 1-48 or 43.24, Penal Code.

1-49 SECTION 2. The change in law made by this Act applies only
 1-50 to an offense committed on or after the effective date of this Act.
 1-51 An offense committed before the effective date of this Act is
 1-52 governed by the law in effect on the date the offense was committed,
 1-53 and the former law is continued in effect for that purpose. For
 1-54 purposes of this section, an offense was committed before the
 1-55 effective date of this Act if any element of the offense occurred
 1-56 before that date.

1-57 SECTION 3. This Act takes effect September 1, 2019.

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