

AN ACT

relating to increasing the criminal penalties for certain offenses committed in a disaster area or an evacuated area.

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

SECTION 1. Sections 12.50(b) and (c), Penal Code, are amended to read as follows:

(b) The increase in punishment authorized by this section applies only to an offense under:

- (1) Section 22.01;
- (2) Section 28.02;
- (3) Section 29.02;
- (4) [~~(3)~~] Section 30.02;
- (5) Section 30.03;
- (6) Section 30.04;
- (7) Section 30.05; and
- (8) [~~(4)~~] Section 31.03.

(c) If an offense listed under Subsection (b)(1), (5), (6), (7), or (8) [~~(4)~~] is punishable as a Class A misdemeanor, the minimum term of confinement for the offense is increased to 180 days. If an offense listed under Subsection (b)(2), [~~(b)(3) or~~ (4), or (8) is punishable as a felony of the first degree, the punishment for that offense may not be increased under this section.

SECTION 2. Section 12.50(d), Penal Code, is repealed.

1 SECTION 3. The change in law made by this Act applies only
2 to an offense committed on or after the effective date of this Act.
3 An offense committed before the effective date of this Act is
4 governed by the law in effect when the offense was committed, and
5 the former law is continued in effect for that purpose. For
6 purposes of this section, an offense was committed before the
7 effective date of this Act if any element of the offense occurred
8 before that date.

9 SECTION 4. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 1028 was passed by the House on April 11, 2019, by the following vote: Yeas 143, Nays 3, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1028 on May 23, 2019, by the following vote: Yeas 140, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1028 was passed by the Senate, with amendments, on May 21, 2019, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor