

1-1 By: Guillen, et al. (Senate Sponsor - Huffman) H.B. No. 1028
1-2 (In the Senate - Received from the House April 11, 2019;
1-3 April 29, 2019, read first time and referred to Committee on State
1-4 Affairs; May 13, 2019, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 13, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Huffman	X		
1-10	Hughes	X		
1-11	Birdwell	X		
1-12	Creighton	X		
1-13	Fallon	X		
1-14	Hall	X		
1-15	Lucio	X		
1-16	Nelson	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1028 By: Huffman

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to increasing the criminal penalties for certain offenses
1-22 committed in a disaster area or an evacuated area.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Sections 12.50(b) and (c), Penal Code, are
1-25 amended to read as follows:

1-26 (b) The increase in punishment authorized by this section
1-27 applies only to an offense under:

- 1-28 (1) Section 22.01;
- 1-29 (2) Section 28.02;
- 1-30 (3) Section 29.02;
- 1-31 (4) [~~(3)~~] Section 30.02;
- 1-32 (5) Section 30.03;
- 1-33 (6) Section 30.04;
- 1-34 (7) Section 30.05; and
- 1-35 (8) [~~(4)~~] Section 31.03.

1-36 (c) If an offense listed under Subsection (b)(1), (5), (6),
1-37 (7), or (8) [~~(4)~~] is punishable as a Class A misdemeanor, the
1-38 minimum term of confinement for the offense is increased to 180
1-39 days. If an offense listed under Subsection (b)(2), [~~(b)(3) or~~]
1-40 (4), or (8) is punishable as a felony of the first degree, the
1-41 punishment for that offense may not be increased under this
1-42 section.

1-43 SECTION 2. Section 12.50(d), Penal Code, is repealed.

1-44 SECTION 3. The change in law made by this Act applies only
1-45 to an offense committed on or after the effective date of this Act.
1-46 An offense committed before the effective date of this Act is
1-47 governed by the law in effect when the offense was committed, and
1-48 the former law is continued in effect for that purpose. For
1-49 purposes of this section, an offense was committed before the
1-50 effective date of this Act if any element of the offense occurred
1-51 before that date.

1-52 SECTION 4. This Act takes effect September 1, 2019.

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