By: Herrero, Longoria, Goldman

H.B. No. 1661

A BILL TO BE ENTITLED

1   AN ACT

2   relating to the prosecution of the criminal offense of continuous

3   violence against the family.

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

5   SECTION 1. This Act may be cited as Rachel's Law.

6   SECTION 2. Chapter 13, Code of Criminal Procedure, is

7   amended by adding Article 13.072 to read as follows:

8   Art. 13.072. CONTINUOUS VIOLENCE AGAINST THE FAMILY

9   COMMITTED IN MORE THAN ONE COUNTY. An offense under Section 25.11,

10 Penal Code, may be prosecuted in any county in which the defendant

11 engaged in the conduct constituting an offense under Section

12 22.01(a)(1), Penal Code, against a person described by Section

13 25.11(a), Penal Code.

14   SECTION 3. Section 25.11(b), Penal Code, is amended to read

15 as follows:

16   (b) If the jury is the trier of fact, members of the jury are

17 not required to agree unanimously on the specific conduct in which

18 the defendant engaged that constituted an offense under Section

19 22.01(a)(1) against the person or persons described by Subsection

20 (a), [or] the exact date when that conduct occurred, or the county

21 in which each instance of the conduct occurred. The jury must agree

22 unanimously that the defendant, during a period that is 12 months or

23 less in duration, two or more times engaged in conduct that

24 constituted an offense under Section 22.01(a)(1) against the person

1 or persons described by Subsection (a).

2   SECTION 4. The changes in law made by this Act apply only to

3 an offense committed on or after the effective date of this Act. An

4 offense committed before the effective date of this Act is governed

5 by the law in effect on the date the offense was committed, and the

6 former law is continued in effect for that purpose. For purposes of

7 this section, an offense was committed before the effective date of

8 this Act if any element of the offense occurred before that date.

9   SECTION 5. This Act takes effect September 1, 2019.