

By: Oliverson

H.B. No. 3895

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to increasing the criminal penalties for certain offenses  
3 committed in a disaster area or an evacuated area.

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

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

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

- 9 (1) Section 22.01;  
10 (2) Section 28.02;  
11 (3) Section 29.02;  
12 (4) [~~(3)~~] Section 30.02;  
13 (5) Section 30.04;  
14 (6) Section 30.05; and  
15 (7) [~~(4)~~] Section 31.03.

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

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 Section 12.50(d), Penal Code, is repealed.

23 SECTION 3. The change in law made by this Act applies only  
24 to an offense committed on or after the effective date of this Act.

1 An offense committed before the effective date of this Act is  
2 governed by the law in effect when the offense was committed, and  
3 the former law is continued in effect for that purpose. For  
4 purposes of this section, an offense was committed before the  
5 effective date of this Act if any element of the offense occurred  
6 before that date.

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