

By: Huberty

H.B. No. 3985

A BILL TO BE ENTITLED

AN ACT

relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.

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

SECTION 1. This Act shall be known as Matthew's Law.

SECTION 2. Section 106.06(a), Alcoholic Beverage Code, as amended by Chapters 437 (S.B. 55) and 934 (H.B. 1445), Acts of the 73rd Legislature, Regular Session, 1993, is reenacted and amended to read as follows:

(a) Except as provided in Subsection (b) [~~of this section~~], a person commits an offense if the person [~~he~~] purchases an alcoholic beverage for or gives or with criminal negligence makes available an alcoholic beverage to a minor [~~with criminal negligence~~].

SECTION 3. Section 106.06, Alcoholic Beverage Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) Except as provided by Subsection (c-1), an [~~An~~] offense under this section is a Class A misdemeanor.

(c-1) An offense under this section is a third degree felony if it is shown on the trial of the offense that the person purchased an alcoholic beverage for or gave or made available an alcoholic beverage to a minor who dies as a result of the consumption of the alcoholic beverage.

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

8 SECTION 5. This Act takes effect September 1, 2021.