

BILL ANALYSIS

Senate Research Center
88R8170 SHH-D

H.B. 1730
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Criminal Justice
5/17/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the harshest penalty for indecent exposure in Texas is a Class B misdemeanor, regardless of how many times an individual may re-offend.

A second conviction of indecent exposure is the only crime listed under the sex offender crime list that is not a felony.

H.B. 1730 increases the penalty for a repeat offender with a second conviction of indecent exposure from a Class B misdemeanor to a Class A misdemeanor. It also raises the penalty for two or more convictions of indecent exposure to a state jail felony.

H.B. 1730 amends current law relating to the punishment for the offense of indecent exposure and increases a criminal penalty.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.08(b), Penal Code, as follows:

(b) Provides that an offense under Section 21.08 (Indecent Exposure) is a Class B misdemeanor, except that the offense is:

(1) a Class A misdemeanor if it is shown on the trial of the offense that the defendant has been previously convicted one time of an offense under this section; and

(2) a state jail felony if it is shown on the trial of the offense that the defendant has been previously convicted two or more times of an offense under this section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.