

By: Thompson of Harris

H.B. No. 327

A BILL TO BE ENTITLED

AN ACT

relating to the affirmative defense to prosecution for a criminal offense for persons acting under duress.

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

SECTION 1. Section 8.05(c), Penal Code, is amended to read as follows:

(c) Compulsion within the meaning of this section exists only if the force or threat of force would render a reasonable person in the situation of the defendant [~~reasonable firmness~~] incapable of resisting the pressure.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2023.