

AN ACT

relating to the criminal offense of abandoning or endangering a child, elderly individual, or disabled individual.

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

SECTION 1. Section 22.041, Penal Code, is amended to read as follows:

Sec. 22.041. ABANDONING OR ENDANGERING A CHILD, ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL. (a) In this section:

(1) "Abandon" [~~,"abandon"~~] means to leave [~~a child~~] in any place without providing reasonable and necessary care a [~~for the~~] child, elderly individual, or disabled individual under circumstances under which no reasonable, similarly situated person [~~adult~~] would leave a child or individual of that age and ability.

(2) "Child," "elderly individual," and "disabled individual" have the meanings assigned by Section 22.04.

(b) A person commits an offense if the person, having custody, care, or control of a child, elderly individual, or disabled individual [~~younger than 15 years~~], [~~he~~] intentionally abandons the child or individual in any place under circumstances that expose the child or individual to an unreasonable risk of harm.

(c) A person commits an offense if the person [~~he~~] intentionally, knowingly, recklessly, or with criminal negligence, by act or omission, engages in conduct that places a child, elderly individual, or disabled individual [~~younger than 15 years~~] in

1 imminent danger of death, bodily injury, or physical or mental  
2 impairment.

3 (c-1) For purposes of Subsection (c), it is presumed that a  
4 person engaged in conduct that places a child, elderly individual,  
5 or disabled individual in imminent danger of death, bodily injury,  
6 or physical or mental impairment if:

7 (1) the person manufactured, possessed, or in any way  
8 introduced into the body of any person the controlled substance  
9 methamphetamine in the presence of the child, elderly individual,  
10 or disabled individual;

11 (2) the person's conduct related to the proximity or  
12 accessibility of the controlled substance methamphetamine to the  
13 child, elderly individual, or disabled individual and an analysis  
14 of a specimen of the child's or individual's blood, urine, or other  
15 bodily substance indicates the presence of methamphetamine in the  
16 body of the child or individual [~~child's body~~]; or

17 (3) the person injected, ingested, inhaled, or  
18 otherwise introduced a controlled substance listed in Penalty Group  
19 1, Section 481.102, Health and Safety Code, or Penalty Group 1-B,  
20 Section 481.1022, Health and Safety Code, into the human body when  
21 the person was not in lawful possession of the substance as defined  
22 by Section 481.002(24) of that code.

23 (d) Except as provided by Subsection (e), an offense under  
24 Subsection (b) is:

25 (1) a state jail felony if the actor abandoned the  
26 child, elderly individual, or disabled individual with intent to  
27 return for the child or individual; or

1           (2) a felony of the third degree if the actor abandoned  
2 the child, elderly individual, or disabled individual without  
3 intent to return for the child or individual.

4           (e) An offense under Subsection (b) is a felony of the  
5 second degree if the actor abandons the child, elderly individual,  
6 or disabled individual under circumstances that a reasonable person  
7 would believe would place the child or individual in imminent  
8 danger of death, bodily injury, or physical or mental impairment.

9           (f) An offense under Subsection (c) is a state jail felony.

10          (g) It is a defense to prosecution under Subsection (c) that  
11 the act or omission enables the child, elderly individual, or  
12 disabled individual to practice for or participate in an organized  
13 athletic event and that appropriate safety equipment and procedures  
14 are employed in the event.

15          (h) It is an exception to the application of this section  
16 for abandoning or endangering a child that the actor voluntarily  
17 delivered the child to a designated emergency infant care provider  
18 under Section 262.302, Family Code.

19          SECTION 2. Article 12.01, Code of Criminal Procedure, is  
20 amended to read as follows:

21          Art. 12.01. FELONIES. Except as provided in Article 12.03,  
22 felony indictments may be presented within these limits, and not  
23 afterward:

24               (1) no limitation:

25                       (A) murder and manslaughter;

26                       (B) sexual assault under Section 22.011(a)(2),  
27 Penal Code, or aggravated sexual assault under Section

1 22.021(a)(1)(B), Penal Code;

2 (C) sexual assault, if:

3 (i) during the investigation of the offense

4 biological matter is collected and the matter:

5 (a) has not yet been subjected to

6 forensic DNA testing; or

7 (b) has been subjected to forensic DNA

8 testing and the testing results show that the matter does not match

9 the victim or any other person whose identity is readily

10 ascertained; or

11 (ii) probable cause exists to believe that

12 the defendant has committed the same or a similar sex offense

13 against five or more victims;

14 (D) continuous sexual abuse of young child or

15 disabled individual under Section 21.02, Penal Code;

16 (E) indecency with a child under Section 21.11,

17 Penal Code;

18 (F) an offense involving leaving the scene of an

19 accident under Section 550.021, Transportation Code, if the

20 accident resulted in the death of a person;

21 (G) trafficking of persons under Section

22 20A.02(a)(7) or (8), Penal Code;

23 (H) continuous trafficking of persons under

24 Section 20A.03, Penal Code; or

25 (I) compelling prostitution under Section

26 43.05(a)(2), Penal Code;

27 (2) ten years from the date of the commission of the

1 offense:

2 (A) theft of any estate, real, personal or mixed,  
3 by an executor, administrator, guardian or trustee, with intent to  
4 defraud any creditor, heir, legatee, ward, distributee,  
5 beneficiary or settlor of a trust interested in such estate;

6 (B) theft by a public servant of government  
7 property over which the public servant exercises control in the  
8 public servant's official capacity;

9 (C) forgery or the uttering, using, or passing of  
10 forged instruments;

11 (D) injury to an elderly or disabled individual  
12 punishable as a felony of the first degree under Section 22.04,  
13 Penal Code;

14 (E) sexual assault, except as provided by  
15 Subdivision (1) or (7);

16 (F) arson;

17 (G) trafficking of persons under Section  
18 20A.02(a)(1), (2), (3), or (4), Penal Code; or

19 (H) compelling prostitution under Section  
20 43.05(a)(1), Penal Code;

21 (3) seven years from the date of the commission of the  
22 offense:

23 (A) misapplication of fiduciary property or  
24 property of a financial institution;

25 (B) fraudulent securing of document execution;

26 (C) a felony violation under Chapter 162, Tax  
27 Code;

- 1 (D) false statement to obtain property or credit  
2 under Section 32.32, Penal Code;
- 3 (E) money laundering;
- 4 (F) credit card or debit card abuse under Section  
5 32.31, Penal Code;
- 6 (G) fraudulent use or possession of identifying  
7 information under Section 32.51, Penal Code;
- 8 (H) exploitation of a child, elderly individual,  
9 or disabled individual under Section 32.53, Penal Code;
- 10 (I) health care fraud under Section 35A.02, Penal  
11 Code; or
- 12 (J) bigamy under Section 25.01, Penal Code,  
13 except as provided by Subdivision (6);
- 14 (4) five years from the date of the commission of the  
15 offense:
- 16 (A) theft or robbery;
- 17 (B) except as provided by Subdivision (5),  
18 kidnapping or burglary;
- 19 (C) injury to an elderly or disabled individual  
20 that is not punishable as a felony of the first degree under Section  
21 22.04, Penal Code;
- 22 (D) abandoning or endangering a child, elderly  
23 individual, or disabled individual; or
- 24 (E) insurance fraud;
- 25 (5) if the investigation of the offense shows that the  
26 victim is younger than 17 years of age at the time the offense is  
27 committed, 20 years from the 18th birthday of the victim of one of

1 the following offenses:

2 (A) sexual performance by a child under Section  
3 43.25, Penal Code;

4 (B) aggravated kidnapping under Section  
5 20.04(a)(4), Penal Code, if the defendant committed the offense  
6 with the intent to violate or abuse the victim sexually; or

7 (C) burglary under Section 30.02, Penal Code, if  
8 the offense is punishable under Subsection (d) of that section and  
9 the defendant committed the offense with the intent to commit an  
10 offense described by Subdivision (1)(B) or (D) of this article or  
11 Paragraph (B) of this subdivision;

12 (6) ten years from the 18th birthday of the victim of  
13 the offense:

14 (A) trafficking of persons under Section  
15 20A.02(a)(5) or (6), Penal Code;

16 (B) injury to a child under Section 22.04, Penal  
17 Code; or

18 (C) bigamy under Section 25.01, Penal Code, if  
19 the investigation of the offense shows that the person, other than  
20 the legal spouse of the defendant, whom the defendant marries or  
21 purports to marry or with whom the defendant lives under the  
22 appearance of being married is younger than 18 years of age at the  
23 time the offense is committed;

24 (7) two years from the date the offense was  
25 discovered: sexual assault punishable as a state jail felony under  
26 Section 22.011(f)(2), Penal Code; or

27 (8) three years from the date of the commission of the

1 offense: all other felonies.

2 SECTION 3. Section 201.062(a), Estates Code, is amended to  
3 read as follows:

4 (a) A probate court may enter an order declaring that the  
5 parent of a child under 18 years of age may not inherit from or  
6 through the child under the laws of descent and distribution if the  
7 court finds by clear and convincing evidence that the parent has:

8 (1) voluntarily abandoned and failed to support the  
9 child in accordance with the parent's obligation or ability for at  
10 least three years before the date of the child's death, and did not  
11 resume support for the child before that date;

12 (2) voluntarily and with knowledge of the pregnancy:

13 (A) abandoned the child's mother beginning at a  
14 time during her pregnancy with the child and continuing through the  
15 birth;

16 (B) failed to provide adequate support or medical  
17 care for the mother during the period of abandonment before the  
18 child's birth; and

19 (C) remained apart from and failed to support the  
20 child since birth; or

21 (3) been convicted or has been placed on community  
22 supervision, including deferred adjudication community  
23 supervision, for being criminally responsible for the death or  
24 serious injury of a child under the following sections of the Penal  
25 Code or adjudicated under Title 3, Family Code, for conduct that  
26 caused the death or serious injury of a child and that would  
27 constitute a violation of one of the following sections of the Penal



1 Code:

- 2 (A) Section 19.02 (murder);
- 3 (B) Section 19.03 (capital murder);
- 4 (C) Section 19.04 (manslaughter);
- 5 (D) Section 21.11 (indecent with a child);
- 6 (E) Section 22.01 (assault);
- 7 (F) Section 22.011 (sexual assault);
- 8 (G) Section 22.02 (aggravated assault);
- 9 (H) Section 22.021 (aggravated sexual assault);
- 10 (I) Section 22.04 (injury to a child, elderly
- 11 individual, or disabled individual);
- 12 (J) Section 22.041 (abandoning or endangering a
- 13 child, elderly individual, or disabled individual);
- 14 (K) Section 25.02 (prohibited sexual conduct);
- 15 (L) Section 43.25 (sexual performance by a
- 16 child); or
- 17 (M) Section 43.26 (possession or promotion of
- 18 child pornography).

19 SECTION 4. Section 1104.353(b), Estates Code, is amended to  
20 read as follows:

21 (b) It is presumed to be not in the best interests of a ward  
22 or incapacitated person to appoint as guardian of the ward or  
23 incapacitated person a person who has been finally convicted of:

- 24 (1) any sexual offense, including sexual assault,
- 25 aggravated sexual assault, and prohibited sexual conduct;
- 26 (2) aggravated assault;
- 27 (3) injury to a child, elderly individual, or disabled

1 individual;

2 (4) abandoning or endangering a child, elderly  
3 individual, or disabled individual;

4 (5) terroristic threat; or

5 (6) continuous violence against the family of the ward  
6 or incapacitated person.

7 SECTION 5. Section 161.001(b), Family Code, is amended to  
8 read as follows:

9 (b) The court may order termination of the parent-child  
10 relationship if the court finds by clear and convincing evidence:

11 (1) that the parent has:

12 (A) voluntarily left the child alone or in the  
13 possession of another not the parent and expressed an intent not to  
14 return;

15 (B) voluntarily left the child alone or in the  
16 possession of another not the parent without expressing an intent  
17 to return, without providing for the adequate support of the child,  
18 and remained away for a period of at least three months;

19 (C) voluntarily left the child alone or in the  
20 possession of another without providing adequate support of the  
21 child and remained away for a period of at least six months;

22 (D) knowingly placed or knowingly allowed the  
23 child to remain in conditions or surroundings which endanger the  
24 physical or emotional well-being of the child;

25 (E) engaged in conduct or knowingly placed the  
26 child with persons who engaged in conduct which endangers the  
27 physical or emotional well-being of the child;

1 (F) failed to support the child in accordance  
2 with the parent's ability during a period of one year ending within  
3 six months of the date of the filing of the petition;

4 (G) abandoned the child without identifying the  
5 child or furnishing means of identification, and the child's  
6 identity cannot be ascertained by the exercise of reasonable  
7 diligence;

8 (H) voluntarily, and with knowledge of the  
9 pregnancy, abandoned the mother of the child beginning at a time  
10 during her pregnancy with the child and continuing through the  
11 birth, failed to provide adequate support or medical care for the  
12 mother during the period of abandonment before the birth of the  
13 child, and remained apart from the child or failed to support the  
14 child since the birth;

15 (I) contumaciously refused to submit to a  
16 reasonable and lawful order of a court under Subchapter D, Chapter  
17 261;

18 (J) been the major cause of:

19 (i) the failure of the child to be enrolled  
20 in school as required by the Education Code; or

21 (ii) the child's absence from the child's  
22 home without the consent of the parents or guardian for a  
23 substantial length of time or without the intent to return;

24 (K) executed before or after the suit is filed an  
25 unrevoked or irrevocable affidavit of relinquishment of parental  
26 rights as provided by this chapter;

27 (L) been convicted or has been placed on

1 community supervision, including deferred adjudication community  
2 supervision, for being criminally responsible for the death or  
3 serious injury of a child under the following sections of the Penal  
4 Code, or under a law of another jurisdiction that contains elements  
5 that are substantially similar to the elements of an offense under  
6 one of the following Penal Code sections, or adjudicated under  
7 Title 3 for conduct that caused the death or serious injury of a  
8 child and that would constitute a violation of one of the following  
9 Penal Code sections:

- 10 (i) Section 19.02 (murder);
- 11 (ii) Section 19.03 (capital murder);
- 12 (iii) Section 19.04 (manslaughter);
- 13 (iv) Section 21.11 (indecent with a  
14 child);
- 15 (v) Section 22.01 (assault);
- 16 (vi) Section 22.011 (sexual assault);
- 17 (vii) Section 22.02 (aggravated assault);
- 18 (viii) Section 22.021 (aggravated sexual  
19 assault);
- 20 (ix) Section 22.04 (injury to a child,  
21 elderly individual, or disabled individual);
- 22 (x) Section 22.041 (abandoning or  
23 endangering a child, elderly individual, or disabled individual);
- 24 (xi) Section 25.02 (prohibited sexual  
25 conduct);
- 26 (xii) Section 43.25 (sexual performance by  
27 a child);

1 (xiii) Section 43.26 (possession or  
2 promotion of child pornography);

3 (xiv) Section 21.02 (continuous sexual  
4 abuse of young child or disabled individual);

5 (xv) Section 20A.02(a)(7) or (8)  
6 (trafficking of persons); and

7 (xvi) Section 43.05(a)(2) (compelling  
8 prostitution);

9 (M) had his or her parent-child relationship  
10 terminated with respect to another child based on a finding that the  
11 parent's conduct was in violation of Paragraph (D) or (E) or  
12 substantially equivalent provisions of the law of another state;

13 (N) constructively abandoned the child who has  
14 been in the permanent or temporary managing conservatorship of the  
15 Department of Family and Protective Services for not less than six  
16 months, and:

17 (i) the department has made reasonable  
18 efforts to return the child to the parent;

19 (ii) the parent has not regularly visited  
20 or maintained significant contact with the child; and

21 (iii) the parent has demonstrated an  
22 inability to provide the child with a safe environment;

23 (O) failed to comply with the provisions of a  
24 court order that specifically established the actions necessary for  
25 the parent to obtain the return of the child who has been in the  
26 permanent or temporary managing conservatorship of the Department  
27 of Family and Protective Services for not less than nine months as a

1 result of the child's removal from the parent under Chapter 262 for  
2 the abuse or neglect of the child;

3 (P) used a controlled substance, as defined by  
4 Chapter 481, Health and Safety Code, in a manner that endangered the  
5 health or safety of the child, and:

6 (i) failed to complete a court-ordered  
7 substance abuse treatment program; or

8 (ii) after completion of a court-ordered  
9 substance abuse treatment program, continued to abuse a controlled  
10 substance;

11 (Q) knowingly engaged in criminal conduct that  
12 has resulted in the parent's:

13 (i) conviction of an offense; and

14 (ii) confinement or imprisonment and  
15 inability to care for the child for not less than two years from the  
16 date of filing the petition;

17 (R) been the cause of the child being born  
18 addicted to alcohol or a controlled substance, other than a  
19 controlled substance legally obtained by prescription;

20 (S) voluntarily delivered the child to a  
21 designated emergency infant care provider under Section 262.302  
22 without expressing an intent to return for the child;

23 (T) been convicted of:

24 (i) the murder of the other parent of the  
25 child under Section 19.02 or 19.03, Penal Code, or under a law of  
26 another state, federal law, the law of a foreign country, or the  
27 Uniform Code of Military Justice that contains elements that are

1 substantially similar to the elements of an offense under Section  
2 19.02 or 19.03, Penal Code;

3 (ii) criminal attempt under Section 15.01,  
4 Penal Code, or under a law of another state, federal law, the law of  
5 a foreign country, or the Uniform Code of Military Justice that  
6 contains elements that are substantially similar to the elements of  
7 an offense under Section 15.01, Penal Code, to commit the offense  
8 described by Subparagraph (i);

9 (iii) criminal solicitation under Section  
10 15.03, Penal Code, or under a law of another state, federal law, the  
11 law of a foreign country, or the Uniform Code of Military Justice  
12 that contains elements that are substantially similar to the  
13 elements of an offense under Section 15.03, Penal Code, of the  
14 offense described by Subparagraph (i); or

15 (iv) the sexual assault of the other parent  
16 of the child under Section 22.011 or 22.021, Penal Code, or under a  
17 law of another state, federal law, or the Uniform Code of Military  
18 Justice that contains elements that are substantially similar to  
19 the elements of an offense under Section 22.011 or 22.021, Penal  
20 Code; or

21 (U) been placed on community supervision,  
22 including deferred adjudication community supervision, or another  
23 functionally equivalent form of community supervision or  
24 probation, for being criminally responsible for the sexual assault  
25 of the other parent of the child under Section 22.011 or 22.021,  
26 Penal Code, or under a law of another state, federal law, or the  
27 Uniform Code of Military Justice that contains elements that are

1 substantially similar to the elements of an offense under Section  
2 22.011 or 22.021, Penal Code; and

3 (2) that termination is in the best interest of the  
4 child.

5 SECTION 6. Section 262.2015(b), Family Code, is amended to  
6 read as follows:

7 (b) The court may find under Subsection (a) that a parent  
8 has subjected the child to aggravated circumstances if:

9 (1) the parent abandoned the child without  
10 identification or a means for identifying the child;

11 (2) the child or another child of the parent is a  
12 victim of serious bodily injury or sexual abuse inflicted by the  
13 parent or by another person with the parent's consent;

14 (3) the parent has engaged in conduct against the  
15 child or another child of the parent that would constitute an  
16 offense under the following provisions of the Penal Code:

17 (A) Section 19.02 (murder);

18 (B) Section 19.03 (capital murder);

19 (C) Section 19.04 (manslaughter);

20 (D) Section 21.11 (indecent with a child);

21 (E) Section 22.011 (sexual assault);

22 (F) Section 22.02 (aggravated assault);

23 (G) Section 22.021 (aggravated sexual assault);

24 (H) Section 22.04 (injury to a child, elderly  
25 individual, or disabled individual);

26 (I) Section 22.041 (abandoning or endangering a  
27 child, elderly individual, or disabled individual);



1 (J) Section 25.02 (prohibited sexual conduct);

2 (K) Section 43.25 (sexual performance by a  
3 child);

4 (L) Section 43.26 (possession or promotion of  
5 child pornography);

6 (M) Section 21.02 (continuous sexual abuse of  
7 young child or disabled individual);

8 (N) Section 43.05(a)(2) (compelling  
9 prostitution); or

10 (O) Section 20A.02(a)(7) or (8) (trafficking of  
11 persons);

12 (4) the parent voluntarily left the child alone or in  
13 the possession of another person not the parent of the child for at  
14 least six months without expressing an intent to return and without  
15 providing adequate support for the child;

16 (5) the parent has been convicted for:

17 (A) the murder of another child of the parent and  
18 the offense would have been an offense under 18 U.S.C. Section  
19 1111(a) if the offense had occurred in the special maritime or  
20 territorial jurisdiction of the United States;

21 (B) the voluntary manslaughter of another child  
22 of the parent and the offense would have been an offense under 18  
23 U.S.C. Section 1112(a) if the offense had occurred in the special  
24 maritime or territorial jurisdiction of the United States;

25 (C) aiding or abetting, attempting, conspiring,  
26 or soliciting an offense under Paragraph (A) or (B); or

27 (D) the felony assault of the child or another

1 child of the parent that resulted in serious bodily injury to the  
2 child or another child of the parent; or

3 (6) the parent is required under any state or federal  
4 law to register with a sex offender registry.

5 SECTION 7. Section 250.006(a), Health and Safety Code, is  
6 amended to read as follows:

7 (a) A person for whom the facility or the individual  
8 employer is entitled to obtain criminal history record information  
9 may not be employed in a facility or by an individual employer if  
10 the person has been convicted of an offense listed in this  
11 subsection:

12 (1) an offense under Chapter 19, Penal Code (criminal  
13 homicide);

14 (2) an offense under Chapter 20, Penal Code  
15 (kidnapping, unlawful restraint, and smuggling of persons);

16 (3) an offense under Section 21.02, Penal Code  
17 (continuous sexual abuse of young child or disabled individual), or  
18 Section 21.11, Penal Code (indecent with a child);

19 (4) an offense under Section 22.011, Penal Code  
20 (sexual assault);

21 (5) an offense under Section 22.02, Penal Code  
22 (aggravated assault);

23 (6) an offense under Section 22.04, Penal Code (injury  
24 to a child, elderly individual, or disabled individual);

25 (7) an offense under Section 22.041, Penal Code  
26 (abandoning or endangering a child, elderly individual, or disabled  
27 individual);

- 1           (8) an offense under Section [22.08](#), Penal Code (aiding  
2 suicide);
- 3           (9) an offense under Section [25.031](#), Penal Code  
4 (agreement to abduct from custody);
- 5           (10) an offense under Section [25.08](#), Penal Code (sale  
6 or purchase of child);
- 7           (11) an offense under Section [28.02](#), Penal Code  
8 (arson);
- 9           (12) an offense under Section [29.02](#), Penal Code  
10 (robbery);
- 11          (13) an offense under Section [29.03](#), Penal Code  
12 (aggravated robbery);
- 13          (14) an offense under Section [21.08](#), Penal Code  
14 (indecent exposure);
- 15          (15) an offense under Section [21.12](#), Penal Code  
16 (improper relationship between educator and student);
- 17          (16) an offense under Section [21.15](#), Penal Code  
18 (invasive visual recording);
- 19          (17) an offense under Section [22.05](#), Penal Code  
20 (deadly conduct);
- 21          (18) an offense under Section [22.021](#), Penal Code  
22 (aggravated sexual assault);
- 23          (19) an offense under Section [22.07](#), Penal Code  
24 (terroristic threat);
- 25          (20) an offense under Section [32.53](#), Penal Code  
26 (exploitation of child, elderly individual, or disabled  
27 individual);

1 (21) an offense under Section 33.021, Penal Code  
2 (online solicitation of a minor);

3 (22) an offense under Section 34.02, Penal Code (money  
4 laundering);

5 (23) an offense under Section 35A.02, Penal Code  
6 (health care fraud);

7 (24) an offense under Section 36.06, Penal Code  
8 (obstruction or retaliation);

9 (25) an offense under Section 42.09, Penal Code  
10 (cruelty to livestock animals), or under Section 42.092, Penal Code  
11 (cruelty to nonlivestock animals); or

12 (26) a conviction under the laws of another state,  
13 federal law, or the Uniform Code of Military Justice for an offense  
14 containing elements that are substantially similar to the elements  
15 of an offense listed by this subsection.

16 SECTION 8. Section 301.4535(a), Occupations Code, is  
17 amended to read as follows:

18 (a) The board shall suspend a nurse's license or refuse to  
19 issue a license to an applicant on proof that the nurse or applicant  
20 has been initially convicted of:

21 (1) murder under Section 19.02, Penal Code, capital  
22 murder under Section 19.03, Penal Code, or manslaughter under  
23 Section 19.04, Penal Code;

24 (2) kidnapping or unlawful restraint under Chapter 20,  
25 Penal Code, and the offense was punished as a felony or state jail  
26 felony;

27 (3) sexual assault under Section 22.011, Penal Code;

- 1           (4) aggravated sexual assault under Section 22.021,  
2 Penal Code;
- 3           (5) continuous sexual abuse of young child or disabled  
4 individual under Section 21.02, Penal Code, or indecency with a  
5 child under Section 21.11, Penal Code;
- 6           (6) aggravated assault under Section 22.02, Penal  
7 Code;
- 8           (7) intentionally, knowingly, or recklessly injuring  
9 a child, elderly individual, or disabled individual under Section  
10 22.04, Penal Code;
- 11           (8) intentionally, knowingly, or recklessly  
12 abandoning or endangering a child, elderly individual, or disabled  
13 individual under Section 22.041, Penal Code;
- 14           (9) aiding suicide under Section 22.08, Penal Code,  
15 and the offense was punished as a state jail felony;
- 16           (10) an offense involving a violation of certain court  
17 orders or conditions of bond under Section 25.07, 25.071, or  
18 25.072, Penal Code, punished as a felony;
- 19           (11) an agreement to abduct a child from custody under  
20 Section 25.031, Penal Code;
- 21           (12) the sale or purchase of a child under Section  
22 25.08, Penal Code;
- 23           (13) robbery under Section 29.02, Penal Code;
- 24           (14) aggravated robbery under Section 29.03, Penal  
25 Code;
- 26           (15) an offense for which a defendant is required to  
27 register as a sex offender under Chapter 62, Code of Criminal

1 Procedure; or

2                   (16) an offense under the law of another state,  
3 federal law, or the Uniform Code of Military Justice that contains  
4 elements that are substantially similar to the elements of an  
5 offense listed in this subsection.

6           SECTION 9. The changes in law made by this Act apply only to  
7 an offense committed on or after the effective date of this Act. An  
8 offense committed before the effective date of this Act is governed  
9 by the law in effect on the date the offense was committed, and the  
10 former law is continued in effect for that purpose. For purposes of  
11 this section, an offense was committed before the effective date of  
12 this Act if any element of the offense was committed before that  
13 date.

14           SECTION 10. This Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2187 was passed by the House on May 9, 2023, by the following vote: Yeas 140, Nays 2, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2187 was passed by the Senate on May 24, 2023, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor