

By: Huffman

S.B. No. 787

A BILL TO BE ENTITLED

AN ACT

relating to increasing the minimum term of imprisonment for certain felony offenses in which a firearm is used or exhibited.

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

SECTION 1. Subchapter D, Chapter 12, Penal Code, is amended by adding Section 12.502 to read as follows:

Sec. 12.502. PENALTY FOR CERTAIN FELONY OFFENSES COMMITTED WITH FIREARM. (a) The minimum term of imprisonment for a first, second, or third degree felony listed in Article 42A.054(a), Code of Criminal Procedure, is increased to 10 years if an affirmative finding has been entered in the judgment in the case under Article 42A.054(d), Code of Criminal Procedure.

(b) Subsection (a) does not apply to a felony offense for which the punishment otherwise required by law includes a minimum term of imprisonment that exceeds 10 years.

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.