

By: Herrero

H.B. No. 3751

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of aggravated kidnapping; creating an offense.

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

SECTION 1. Section 20.04, Penal Code, is amended by adding Subsections (b-1) and (b-2) to read as follows:

(b-1) A person commits an offense if the person intentionally or knowingly abducts a child younger than 18 years of age.

(b-2) It is an affirmative defense to prosecution under Subsection (b-1) that:

(1) the abduction was not coupled with intent to use or to threaten to use deadly force;

(2) the actor was a relative of the victim; and

(3) the actor's sole intent was to assume lawful control of the victim.

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.

1           SECTION 3.   This Act takes effect September 1, 2015.