

By: Delisi

H.B. No. 855

Substitute the following for H.B. No. 855:

By: Driver

C.S.H.B. No. 855

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of the offense of failure to identify.

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

4 SECTION 1. Section 38.02(a), Penal Code, is amended to read  
5 as follows:

6 (a) A person commits an offense if the person [~~he~~]  
7 intentionally refuses to give the person's [~~his~~] name, residence  
8 address, or date of birth to a peace officer who has:

9 (1) lawfully arrested or lawfully detained the person;  
10 and

11 (2) requested the information.

12 SECTION 2. The change in law made by this Act applies only  
13 to an offense committed on or after the effective date of this Act.  
14 An offense committed before the effective date of this Act is  
15 covered by the law in effect when the offense was committed, and the  
16 former law is continued in effect for that purpose. For purposes of  
17 this section, an offense is committed before the effective date of  
18 this Act if any element of the offense occurs before that date.

19 SECTION 3. This Act takes effect September 1, 2007.