

1-1 By: Harris of Anderson, et al. H.B. No. 4520
 1-2 (Senate Sponsor - Bettencourt)
 1-3 (In the Senate - Received from the House May 2, 2023;
 1-4 May 4, 2023, read first time and referred to Committee on Finance;
 1-5 May 18, 2023, reported favorably by the following vote: Yeas 16,
 1-6 Nays 1; May 18, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			
1-21	X			
1-22	X			
1-23		X		
1-24	X			
1-25	X			

1-26 A BILL TO BE ENTITLED
 1-27 AN ACT

1-28 relating to employment and retirement consequences for an educator
 1-29 convicted of or placed on deferred adjudication community
 1-30 supervision for the sale, distribution, or display of harmful
 1-31 material to a minor.

1-32 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-33 SECTION 1. Article 42.018(a), Code of Criminal Procedure,
 1-34 is amended to read as follows:

1-35 (a) This article applies only to:

1-36 (1) conviction or deferred adjudication community
 1-37 supervision granted on the basis of an offense for which a
 1-38 conviction or grant of deferred adjudication community supervision
 1-39 requires the defendant to register as a sex offender under Chapter
 1-40 62; ~~[or]~~

1-41 (2) conviction of an offense under Title 5, Penal
 1-42 Code, if the victim of the offense was under 18 years of age at the
 1-43 time the offense was committed; or

1-44 (3) conviction or deferred adjudication community
 1-45 supervision granted on the basis of an offense under Section 43.24,
 1-46 Penal Code.

1-47 SECTION 2. Section 21.058(a), Education Code, is amended to
 1-48 read as follows:

1-49 (a) The procedures described by Subsections (b) and (c)
 1-50 apply only to:

1-51 (1) ~~[to]~~ conviction of or placement on deferred
 1-52 adjudication community supervision for an offense for which a
 1-53 defendant is required to register as a sex offender under Chapter
 1-54 62, Code of Criminal Procedure; ~~[or]~~

1-55 (2) ~~[to]~~ conviction of a felony offense under Title 5,
 1-56 Penal Code, if the victim of the offense was under 18 years of age at
 1-57 the time the offense was committed; or

1-58 (3) conviction of or placement on deferred
 1-59 adjudication community supervision for an offense under Section
 1-60 43.24, Penal Code.

1-61 SECTION 3. Section 824.009(a), Government Code, is amended

2-1 to read as follows:

2-2 (a) In this section, "qualifying felony" means an offense
2-3 that is punishable as a felony under the following sections of the
2-4 Penal Code:

2-5 (1) Section 21.02 (continuous sexual abuse of young
2-6 child or disabled individual);

2-7 (2) Section 21.12 (improper relationship between
2-8 educator and student); ~~or~~

2-9 (3) Section 22.011 (sexual assault) or Section 22.021
2-10 (aggravated sexual assault); or

2-11 (4) Section 43.24 (sale, distribution, or display of
2-12 harmful material to minor).

2-13 SECTION 4. (a) Article 42.018, Code of Criminal Procedure,
2-14 as amended by this Act, applies only to a judgment of conviction or
2-15 order granting deferred adjudication community supervision entered
2-16 on or after the effective date of this Act.

2-17 (b) Section 824.009, Government Code, as amended by this
2-18 Act, applies only to an offense committed on or after the effective
2-19 date of this Act. An offense committed before that date is governed
2-20 by the law in effect on the date the offense was committed, and the
2-21 former law is continued in effect for that purpose. For purposes of
2-22 this section, an offense was committed before the effective date of
2-23 this Act if any element of the offense occurred before that date.

2-24 SECTION 5. This Act takes effect September 1, 2023.

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