

By: Riddle

H.B. No. 3680

A BILL TO BE ENTITLED

AN ACT

relating to creating the offense of contributing to the delinquency of a child.

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

SECTION 1. Chapter 22, Penal Code, is amended by adding Section 22.042 to read as follows:

Sec. 22.042. CONTRIBUTING TO DELINQUENCY OF A CHILD. (a) A person commits an offense if the person is 17 years of age or older and intentionally or knowingly causes or encourages a child to:

(1) engage in specific conduct that, under the circumstances surrounding the actor's conduct, would cause the child to be present during the commission of a felony; or

(2) enter or remain in a place where:

(A) a controlled substance, a controlled substance analogue, drug paraphernalia, or marihuana, as defined by Chapter 481, Health and Safety Code, is used, possessed, manufactured, or distributed; or

(B) prostitution is practiced.

(b) In this section:

(1) "Child" means any person younger than 17 years of age.

(2) "Place" means:

(A) the grounds of a park, lot, or parcel of land; or

1 (B) a building or a portion of a building,
2 including a distinct residential or lodging unit, but not including
3 a residential or lodging structure that does not have a living area
4 in common.

5 (c) An offense under this section is a Class A misdemeanor.

6 (d) If conduct constituting an offense under this section
7 also constitutes an offense under another section of this code, the
8 actor may be prosecuted under either section or under both
9 sections.

10 SECTION 2. This Act takes effect September 1, 2009.