

By: Dutton, Deshotel, Guillen

H. B. No. 478

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the restoration of certain rights to a criminal
3 defendant.

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

5 SECTION 1. Article 48.05(a)(2), Code of Criminal Procedure,
6 is amended to read as follows:

7 (2) This article applies to:

8 (A) a federal offense, other than an offense
9 involving:

10 (i) violence or the threat of violence;

11 (ii) drugs; or

12 (iii) firearms; [and]

13 (B) an offense under the laws of another country,
14 other than an offense involving:

15 (i) violence or the threat of violence;

16 (ii) drugs; or

20 (C) any offense under the laws of this state.

21 SECTION 2. Article 48.05(b), Code of Criminal Procedure, is
22 amended to read as follows:

23 (b) An individual may not apply for restoration of civil
24 rights under this article unless:

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(1) the individual has completed the sentence for the offense:

3 (2) the conviction occurred [÷]

4 [(A)] three or more years before the date of
5 application [~~, if the offense is a federal offense; or~~]

6 [(B) two or more years before the date of
7 application, if the offense is an offense under the laws of another
8 country]; and

12 SECTION 3. This Act applies to a defendant who is convicted
13 of an offense before, on, or after the effective date of this Act.

14 SECTION 4. This Act takes effect September 1, 2015.