

AN ACT

relating to certain notifications required for persons convicted of a misdemeanor involving family violence.

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

SECTION 1. Subsection (a), Article 26.13, Code of Criminal Procedure, is amended to read as follows:

(a) Prior to accepting a plea of guilty or a plea of nolo contendere, the court shall admonish the defendant of:

(1) the range of the punishment attached to the offense;

(2) the fact that the recommendation of the prosecuting attorney as to punishment is not binding on the court. Provided that the court shall inquire as to the existence of any plea bargaining agreements between the state and the defendant and, in the event that such an agreement exists, the court shall inform the defendant whether it will follow or reject such agreement in open court and before any finding on the plea. Should the court reject any such agreement, the defendant shall be permitted to withdraw his plea of guilty or nolo contendere;

(3) the fact that if the punishment assessed does not exceed the punishment recommended by the prosecutor and agreed to by the defendant and his attorney, the trial court must give its permission to the defendant before he may prosecute an appeal on any matter in the case except for those matters raised by written

1 motions filed prior to trial;

2 (4) the fact that if the defendant is not a citizen of
3 the United States of America, a plea of guilty or nolo contendere
4 for the offense charged may result in deportation, the exclusion
5 from admission to this country, or the denial of naturalization
6 under federal law; ~~and~~

7 (5) the fact that the defendant will be required to
8 meet the registration requirements of Chapter 62, if the defendant
9 is convicted of or placed on deferred adjudication for an offense
10 for which a person is subject to registration under that chapter;
11 and

12 (6) the fact that it is unlawful for the defendant to
13 possess or transfer a firearm or ammunition if the defendant is
14 convicted of a misdemeanor involving family violence, as defined by
15 Section 71.004, Family Code.

16 SECTION 2. Chapter 42, Code of Criminal Procedure, is
17 amended by adding Article 42.0131 to read as follows:

18 Art. 42.0131. REQUIRED NOTICE FOR PERSONS CONVICTED OF
19 MISDEMEANORS INVOLVING FAMILY VIOLENCE. If a person is convicted
20 of a misdemeanor involving family violence, as defined by Section
21 71.004, Family Code, the court shall notify the person of the fact
22 that it is unlawful for the person to possess or transfer a firearm
23 or ammunition.

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

S.B. No. 1470

David Dewhurst
President of the Senate

Tom Craddick
Speaker of the House

I hereby certify that S.B. No. 1470 passed the Senate on April 19, 2007, by the following vote: Yeas 31, Nays 0.

Atsuy Saw
Secretary of the Senate

I hereby certify that S.B. No. 1470 passed the House on May 3, 2007, by the following vote: Yeas 143, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

17 MAY '07
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:00 PM O'CLOCK

MAY 17 2007

Roger Whinnis