

BILL ANALYSIS

Senate Research Center
78R1616 PEP-D

S.B. 110
By: Staples
Criminal Justice
4/14/2003
As Filed

DIGEST AND PURPOSE

Current federal law (Title 18, Sect. 4 of the U.S. Code) allows for the prosecution of an individual who has knowledge of a crime but fails to report it to a proper authority. Texas statute, however, lacks a provision to prosecute an individual who witnesses the commission of a felony but fails to report the action. As proposed, S.B. 110 amends the Penal Code to require an individual to report to a peace or law enforcement officer the commission of a felony that may have resulted in serious bodily harm or death.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 38, Penal Code, by adding Section 38.171, as follows:

Sec. 38.171. FAILURE TO REPORT FELONY. (a) Provides that a person commits a misdemeanor offense for failing to report the commission of a felony in certain instances.

(b) Provides that an offense under this section is a Class A misdemeanor.

SECTION 2. Effective date: September 1, 2003.