

BILL ANALYSIS

Senate Research Center
78R6108 EMT-F

S.B. 837
By: Williams
Criminal Justice
4/14/2003
As Filed

DIGEST AND PURPOSE

Under Section 22.021 (Aggravated Sexual Assault), Penal Code , a person commits an aggravated sexual assault if the victim is younger than 14 years of age or older than 65 years of age. However, this provision fails to include disabled individuals in the protected class of sexual assault prosecutions. As proposed, S.B. 837 amends the Penal Code to include disabled individuals as a specially-protected class of victims for the purposes of aggravated sexual assault prosecutions.

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 Sections 22.021(a) and (b), Penal Code, as follows:

- (a) Provides that a person commits an offense if the person causes serious bodily injury or attempts to cause the death of a victim or another person in the course of a criminal episode if the victim is an elderly or a disabled individual.
- (b) Defines “elderly individual” and disabled individual, and makes nonsubstantive changes to the definition of “child.”

SECTION 2. Effective date: September 1, 2003.
Makes application of this Act prospective.