

BILL ANALYSIS

H.B. 1324
By: Pena
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Statistics show that the crime of burglary of a vehicle is on the increase. Anecdotal information from arresting police officers indicate that they are arresting the same individuals over and over again for this crime. This suggests that the penalty is not harsh enough to effectively deter this criminal activity. House Bill 1324 follows the "three strikes and you're out" policy guidelines which will enhance the penalty for the third offense to a state jail felony. The "three strikes" policy reflects common sense (prison overcrowding is a continuing problem), demands accountability and presents a clear and certain penalty.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Section 30.04(d), Penal Code, is amended by adding additional language to enhance the penalty for burglary of a vehicle from a Class A Misdemeanor to a State Jail Felony if the defendant has two prior convictions under this section.

EFFECTIVE DATE

September 1, 2005.