

BILL ANALYSIS

H.B. 1388
By: Leibowitz
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law increases, from a Class A misdemeanor to a third degree felony, the penalty for the offense of causing bodily injury to a member of the defendant's family if the defendant has been previously convicted of assault. Adding other offenses for which the penalty is increased may decrease incidents of family violence. This bill includes additional offenses for which the penalty for the offense of causing bodily injury to a member of the defendant's family is increased.

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

This bill amends the Penal Code to provide that a person who intentionally, knowingly, or recklessly causes bodily injury to another commits a felony of the third degree if the offense is committed against a member of the defendant's family or household and if the defendant has been previously convicted of an offense, against a member of the defendant's family or household, of: criminal homicide; kidnapping; aggravated kidnapping; indecency with a child; sexual assault; aggravated assault; aggravated sexual assault; injury to a child, elderly individual, or disabled individual; abandoning or endangering a child; deadly conduct; or terroristic threat.

EFFECTIVE DATE

September 1, 2005.