

## **BILL ANALYSIS**

H.B. 502  
By: Castro  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Texas Code of Criminal Procedure requires the court during the punishment phase of a trial for certain offenses to include in the judgment any finding that the defendant intentionally selected the victim primarily because of the defendant's bias or prejudice against a group. Texas Penal Code currently requires enhanced penalties for an affirmative findings of bias or prejudice during judgment, except in the case of first degree felonies. H.B. 502 provides an enhanced penalty for this type of first degree felony, increasing the minimum sentence from 5 years to 10 years.

### **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**

House Bill 502 amends Section 12.47(a), Penal Code, to provide that if the offense committed because of bias or prejudice is a felony of the first degree, the minimum term of imprisonment for the offense is increased to 10 years.

Makes application of this Act prospective.

### **EFFECTIVE DATE**

September 1, 2007.