

BILL ANALYSIS

Senate Research Center

S.B. 877
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Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a person who knowingly or intentionally causes serious bodily injury or serious mental deficiency, impairment, or injury to a child commits a first degree felony, which carries a punishment of five to 99 years incarceration and a fine of up to \$10,000. These represent the most serious cases of child abuse. However, due to the classification of these offenses under current law, these offenders are serving little of their sentences.

S.B. 877 classifies the offense of "serious bodily injury to a child" as an offense under Section 42.12(3)g (Limitations on Judge Ordered Community Supervision), Code of Criminal Procedure. This classification is for the most violent offenses and requires that an offender serve the lesser of half of the sentence or 30 years before becoming eligible for parole.

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 Section 3g(a), Article 42.12, Code of Criminal Procedure, to provide that the provisions of Section 3 (Judge Ordered Community Supervision) of this article do not apply to certain offenses, including an offense under Section 22.04(a)(1) (intentionally, knowingly, recklessly, or with criminal negligence, by act or omission, causing serious bodily injury to a child), Penal Code, if the offense is punishable as a first-degree felony and the victim is a child.

SECTION 2. Amends Section 508.145(d), Government Code, to make conforming changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.