

BILL ANALYSIS

H.B. 176
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law contains no provision concerning drive-by shootings.

H.B. 176 known as the Janie Lynn Delapaz Act, makes it a first degree felony aggravated assault offense if an actor discharges a firearm in the direction of a house, building, or vehicle, knowingly and with reckless disregard as to whether that house, building, or vehicle is occupied, and causes serious injury to another person.

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

H.B. 176 shall be known as the Janie Lynn Delapaz Act. The bill amends the Penal Code to make aggravated assault a first degree felony if an actor knowingly discharges a firearm at or in the direction of a habitation, building, or vehicle; is reckless as to whether the habitation, building, or vehicle is occupied; and, in discharging the firearm, causes serious bodily injury to any person.

EFFECTIVE DATE

September 1, 2009.