

## **BILL ANALYSIS**

H.B. 1065  
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Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The majority of states that have a capital murder statute recognize the age of the victim as an aggravating factor, and most such states set the age limit of the victim, for purposes of enhancing an offense of murder to a capital offense, between 11 years of age and 16 years of age. In Texas, an offense of murder can be enhanced to a capital offense if the victim is younger than six years of age. H.B. 1065 seeks to align Texas statutes more closely with those of other states that have an age-related aggravating factor as part of the state's capital murder statute.

### **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. 1065 amends the Penal Code to change from under six years of age to under 10 years of age the age of a murder victim that renders the murder offense capital murder.

### **EFFECTIVE DATE**

September 1, 2011.