

## **BILL ANALYSIS**

C.S.H.B. 1389  
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Criminal Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Current law sets criminal penalties under certain circumstances for the owner of a dog that attacks another person resulting in serious bodily injury or death. If such an attack causes serious bodily injury, the offense is a third degree felony and if the attack causes death, the offense is a second degree felony. C.S.H.B. 1389 enhances the penalty to a first degree felony if the attack causes death to a person younger than 18 years of age or a person 65 years of age or older.

### **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**

C.S.H.B. 1389 amends the Health and Safety Code to enhance the penalty for the offense of attack by a dog that causes death from a second degree felony to a first degree felony if the attack causes death to a person younger than 18 years of age or 65 years of age or older. The bill makes conforming changes.

### **EFFECTIVE DATE**

September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1389 differs from the original by enhancing the penalty for attack by a dog that causes death to a first degree felony if the attack causes death to a person younger than 18 years of age, rather than younger than 15 years of age as in the original.