

BILL ANALYSIS

H.B. 1601
By: Price
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current statute allows for the stacking of penalties for a select group of enumerated offenses if the accused is found guilty of more than one offense arising out of the same criminal episode. In those specific instances, the sentences may run concurrently or consecutively. That law does not, however, provide for the stacking of penalties for first degree felony offenses of injury to a child, an elderly individual, or a disabled individual. H.B. 1601 seeks to provide such a sentencing option.

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. 1601 amends the Penal Code to include the following among the offenses to which provisions of law authorizing the sentences for a conviction to run concurrently or consecutively if an accused is found guilty of more than one offense arising out of the same criminal episode apply: a first degree felony offense of injury to a child, elderly individual, or disabled individual that causes serious bodily injury or a first degree felony offense of injury to a child, elderly individual, or disabled individual that causes serious mental deficiency, impairment, or injury to the victim, regardless of whether the accused is convicted of violations of the same offense more than once or is convicted of violations of both offenses; and an offense for which a plea agreement was reached in a case in which the accused was charged with more than one such offense, regardless of whether the accused is charged with violations of the same offense more than once or is charged with violations of more than one offense.

EFFECTIVE DATE

September 1, 2011.