

## **BILL ANALYSIS**

H.B. 220  
By: Price  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current statute provides for the stacking of penalties for certain 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 for each offense 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. 220 seeks to provide that sentencing option for such first degree felony offenses committed in the same criminal episode.

### **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. 220 amends the Penal Code to include the following among the offenses for which the sentences for convictions may run concurrently or consecutively if the accused is found guilty of more than one offense arising out of the same criminal episode: an offense of serious injury to a child, elderly individual, or disabled individual committed by a person or by an owner, operator, or employee of an institutional care facility that is punishable as a first degree felony, regardless of whether the accused is convicted of committing the offense in the same capacity more than once or committing the offense in more than one capacity; and an offense for which a plea agreement was reached in a case in which the accused was charged with more than one offense of serious injury to a child, elderly individual, or disabled individual and punishable as a first degree felony, regardless of whether the accused is charged with committing the offense in the same capacity more than once or committing the offense in more than one capacity.

### **EFFECTIVE DATE**

September 1, 2013.