

BILL ANALYSIS

H.B. 1437
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Sexual assault of a child is a very serious crime that can have lasting effects on the victim and the victim's family members. Often, the perpetrator of the crime knows the child and may even live within the same household. In these cases, other members of the household may be aware of the abuse but may not take any action to stop the abuse for a variety of reasons. Current law makes the failure to stop or report aggravated sexual assault of a child a Class A misdemeanor offense. H.B. 1437 increases that penalty to a state jail felony and sets the statute of limitations for the crime at 10 years from the victim's 18th birthday.

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. 1437 amends the Penal Code to increase the penalty for failure to stop or report aggravated sexual assault of a child from a Class A misdemeanor to a state jail felony.

H.B. 1437 reenacts and amends Article 12.01, Code of Criminal Procedure, as amended by Chapters 1 (S.B. 24), 122 (H.B. 3000), 222 (H.B. 253), and 620 (S.B. 688), Acts of the 82nd Legislature, Regular Session, 2011, to add failure to stop or report aggravated sexual assault of a child to the offenses for which the statute of limitations is 10 years from the 18th birthday of the victim of the offense and to make technical corrections.

EFFECTIVE DATE

September 1, 2013.