

BILL ANALYSIS

H.B. 1620
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law prohibits a judge from ordering community supervision for a defendant convicted of committing certain sexual or violent crimes, including murder, sexual assault, aggravated robbery, an offense committed with a deadly weapon, and trafficking of persons. However, this list of offenses does not currently include burglary of a habitation with the intent to commit certain felony sexual offenses. H.B. 1620 seeks to include the offense of burglary of a habitation committed with the intent to commit certain felony sexual offenses among the offenses for which a judge is prohibited from placing a defendant on community supervision and for which an inmate is ineligible for release on parole until a specified amount of time has elapsed.

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. 1620 amends the Code of Criminal Procedure to include first degree felony burglary committed with the intent to commit felony continuous sexual abuse of a young child or children, indecency with a child, sexual assault, aggravated sexual assault, or prohibited sexual conduct among the offenses for which a judge is prohibited from placing a defendant on community supervision.

H.B. 1620 amends the Government Code to include such a burglary offense committed with that intent among the offenses for which an inmate serving a sentence is not eligible for release on parole until the inmate's actual calendar time served, without consideration of good conduct time, equals one-half of the sentence or 30 calendar years, whichever is less, but in no event in less than two calendar years.

EFFECTIVE DATE

September 1, 2013.