

BILL ANALYSIS

H.B. 2396
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

While victims of domestic violence often go to great and courageous lengths to protect their children from abusive partners, growing up in a violent home may be a terrifying and traumatic experience that can affect every aspect of a child's life, growth, and development. Children that witness domestic violence can suffer severe emotional and developmental difficulties as if they were the direct victims of abuse. Because of these potential detrimental effects, more than 20 states have begun to address the need to provide additional protections and support for children affected by domestic violence. H.B. 2396 seeks to add Texas to the list of states that are providing additional protections and support for children affected by domestic violence by enhancing punishments for certain acts of family violence committed in the presence of a child.

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. 2396 amends the Penal Code to enhance the penalty for intentionally, knowingly, or recklessly causing bodily injury to another from a Class A misdemeanor to a Class A misdemeanor with a minimum term of confinement of 30 days if the offense is committed against a person with whom the actor has a dating relationship, or who is a member of the actor's family or household; the offense is committed in the physical presence or within the hearing of a person who is younger than 15 years of age; and at the time of the offense, the actor has knowledge or reason to know that the person who is younger than 15 years of age is present and may see or hear the offense. The bill requires a judge granting community supervision to a defendant convicted of such an offense enhanced in that manner to require as a condition of community supervision that the defendant submit to not less than five days of continuous confinement in county jail.

EFFECTIVE DATE

September 1, 2013.