

## **BILL ANALYSIS**

H.B. 3671  
By: Cook  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that a significant amount of time often elapses between the filing of charges in a criminal case and the commencement of the defendant's trial due to ongoing delays and continuances requested by the defendant. For child victims of crimes, this can be an especially arduous process, given the mental and physical trauma associated with these crimes. Current law entitles certain child victims to the right to have the court consider the impact on the victim of a continuance requested by a defendant but limits this entitlement to child victims of cases involving an assault, sexual assault, or family violence. H.B. 3671 seeks to extend this entitlement to victims of injury to a child 14 years of age or younger and also seeks to expand the entitlement to include the right to a speedy trial for child victims in these cases, consistent with the defendant's right to a fair trial.

### **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. 3671 amends the Code of Criminal Procedure to entitle a child who is 14 years of age or younger and a victim of injury to a child to the right, on request by the attorney representing the state, to a speedy trial consistent with the defendant's right to a fair trial, including the right to have the court consider the impact on the victim of a continuance requested by the defendant. The bill extends that right to a speedy trial to an assault or sexual assault victim who is younger than 17 years of age or whose case involves family violence and who is already entitled to have the court consider the impact on the victim of a continuance requested by the defendant.

### **EFFECTIVE DATE**

September 1, 2013.