

## **BILL ANALYSIS**

H.B. 1396  
By: Workman  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties believe that a generally accepted canon of statutory construction that requires a criminal law to be interpreted in favor of a defendant subjected to the law should be codified, especially as it relates to criminal laws outside of the Penal Code. H.B. 1396 seeks to address this issue.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 1396 amends the Government Code to require a statute or rule that creates or defines a criminal offense or penalty, other than a criminal offense or penalty under the Penal Code, to be strictly construed against the government and construed in favor of the actor whose criminal responsibility is in issue if any part of the statute or rule is susceptible to more than one objectively reasonable interpretation, including an element of offense or the penalty to be imposed.

### **EFFECTIVE DATE**

September 1, 2015.