

BILL ANALYSIS

H.B. 1845
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

An assault offense involving physical contact with a child currently is punished as a Class C misdemeanor. However, if a similar offense is committed against an elderly or disabled individual, the penalty is enhanced to a Class A misdemeanor. Interested parties have expressed concern that the punishment for harming a child is less severe than and inconsistent with the penalty for a similar offense committed against an elderly or disabled individual. H.B. 1845 seeks to correct this inconsistency.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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. 1845 amends the Penal Code to enhance from a Class C misdemeanor to a Class A misdemeanor the penalty for assault committed by intentionally or knowingly causing physical contact with another when the actor knows or should reasonably believe that the other will regard the contact as offensive or provocative if the offense is committed against a child by a person who is 17 years of age or older at the time of the offense.

EFFECTIVE DATE

September 1, 2015.