

BILL ANALYSIS

H.B. 3948
By: Geren
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that in certain cases the penalty for the offense of tampering with or fabricating physical evidence may exceed the penalty for the crime to which the evidence relates. H.B. 3948 seeks to address this issue by decreasing the penalty for the offense of tampering with or fabricating physical evidence in certain cases.

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. 3948 amends the Penal Code to decrease the penalty for the third degree felony conduct constituting a tampering with or fabricating physical evidence offense to a Class A misdemeanor if the thing altered, destroyed, or concealed could be used as evidence in the investigation only of or an official proceeding related to only an offense punishable as a misdemeanor.

EFFECTIVE DATE

September 1, 2017.