

BILL ANALYSIS

S.B. 1649
By: Watson
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that colleges and universities across Texas are unique environments that strive to provide teaching, scholarship, and innovation. Given that the nature of these environments makes them attractive places; they may attract individuals with malicious and dangerous intentions. The parties contend that these individuals are insufficiently deterred by current criminal trespass penalties. S.B. 1649 seeks to improve campus safety by revising the conduct that constitutes the offense of criminal trespass.

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

S.B. 1649 amends the Penal Code to expand the conduct that constitutes the Class A misdemeanor offense of criminal trespass to include trespass on or in property of a public institution of higher education if, as shown at the trial of the offense, the actor has previously been convicted of such an offense relating to entering or remaining on or in property of an institution of higher education or an offense relating to trespassing on the grounds of a public, private, or independent institution of higher education. The bill clarifies that a person has previously been convicted of such offenses if the person was adjudged guilty of the offense or entered a plea of guilty or nolo contendere in return for a grant of deferred adjudication community supervision, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the person was subsequently discharged from deferred adjudication community supervision.

EFFECTIVE DATE

September 1, 2017.