

BILL ANALYSIS

H.B. 1539
By: Geren
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the punishment for tampering with evidence used in the investigation of certain misdemeanor offenses. While such an offense committed in cases involving murder or other serious crimes deserves a severe punishment, it has been suggested that the punishment for tampering with evidence in a case subject to a misdemeanor penalty can far exceed the punishment for the original crime itself. H.B. 1539 seeks to ensure punishment in these circumstances aligns with the severity of the original charge by revising the penalty for such an offense.

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. 1539 amends the Penal Code to decrease from a third degree felony to a Class A misdemeanor the penalty for the offense for tampering with physical evidence that 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, 2019.