

BILL ANALYSIS

C.S.H.B. 3177
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the high incidence of reports detailing the sexual abuse of disabled individuals. It has been suggested that the current protections in place for children with regard to such conduct are also appropriate for these vulnerable individuals. C.S.H.B. 3177 seeks to address this issue by creating the offense of continuous sexual abuse of young child or disabled individual.

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

C.S.H.B. 3177 amends the Penal Code to create the offense of continuous sexual abuse of young child or disabled individual by expanding the applicability of conduct constituting the offense of continuous sexual abuse of a young child or children to include such conduct involving a disabled individual, as defined by the bill. The bill includes as an act of sexual abuse, for purposes of the offense, any knowing act of:

- compelling prostitution;
- trafficking another person and, through force, fraud, or coercion, causing the trafficked person to engage in prostitution, promotion of prostitution, aggravated promotion of prostitution, or compelling prostitution; and
- receiving a benefit from participating in a venture that involves such engagement or engaging in sexual conduct with a person trafficked in such a manner.

C.S.H.B. 3177 amends the Civil Practice and Remedies Code, Code of Criminal Procedure, Education Code, Family Code, Government Code, Health and Safety Code, Occupations Code, Penal Code, and Property Code to make conforming changes.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3177 may differ from the original in minor or nonsubstantive ways, the

following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes an explicit definition of "disabled individual" and does not include a provision defining the term by reference to the Penal Code.