

BILL ANALYSIS

C.S.H.B. 148
By: Toth
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that the current statute of limitations for certain violent crimes does not allow an adequate amount of time to report the crime. Concerns have been raised specifically regarding the statute of limitations for certain assault offenses committed against family members or against victims who may have various types of relationships with the defendant. Oftentimes, these victims are unable to expeditiously report such behavior given the continuing control their abusers exert over their lives. C.S.H.B. 148 seeks to address this issue by extending the statute of limitations for certain offenses committed against a person with whom the defendant has a dating, family, or household relationship or association.

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

C.S.H.B. 148 amends the Code of Criminal Procedure to extend the statute of limitations for the following felonies from within three years of the date the offense was committed to within five years of that date:

- continuous violence against the family; and
- assault or aggravated assault committed against a person with whom the defendant has a dating, family, or household relationship or association.

C.S.H.B. 148 extends the statute of limitations for misdemeanor assault against a person with whom the defendant has a dating, family, or household relationship or association from within two years of the date the offense was committed to within three years of that date.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 148 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 shortens the original's statute of limitations extension for the misdemeanor assault offense from a three-year extension to a one-year extension.