

BILL ANALYSIS

Senate Research Center
87R15516 MAW-D

H.B. 1403
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Criminal Justice
5/7/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Victims of human trafficking may be subjected to multiple crimes in a single event, but current law only allows for concurrent sentencing upon conviction rather than consecutive sentencing. For example, if a person is convicted of rape and compelling prostitution as a single event, the perpetrator of those crimes cannot be ordered to serve consecutive sentences. Consequently, courts are limited and may not be able to levy the appropriate punishment for the most heinous human trafficking crimes. H.B. 1403 would grant courts the option of ordering sentences for a combination of offenses in the course of the same criminal event to be served consecutively.

H.B. 1403 amends current law relating to the imposition of consecutive sentences for certain offenses arising out of the same criminal episode.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3.03(b), Penal Code, as follows:

(b) Authorizes the sentences, if the accused is found guilty of more than one offense arising out of the same criminal episode, to run concurrently or consecutively if each sentence is for a conviction of certain sexual offenses, assaultive offenses, and gang-related conduct, including any combination of offenses listed in Subdivisions (1)-(6), including any combination of offenses charged in a case resulting in a plea agreement. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.