

BILL ANALYSIS

H.B. 467
By: Craddick
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The statute of limitations period for certain assault crimes is currently only two or three years, depending on whether the crime is a misdemeanor or felony. Oftentimes in cases where victims are family members of or are in various types of relationship with the defendant, the victims are unable to expeditiously report the abusive behavior given the continuing control their abusers exert over their lives. This matter was brought to attention by a local district attorney requesting additional time to bring these types of situations to trial. H.B. 467 seeks to address this issue by extending the statute of limitations period from two years to three years for misdemeanor assault, and from three years to five years for felony assault, committed against family members or against victims who may have various types of relationships with the defendant. This mirrors legislation that was passed by the Texas House of Representatives as H.B. 148 during the 87th Legislative Session, but failed to receive a final vote in the Texas Senate.

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. 467 amends the Code of Criminal Procedure to extend the statute of limitations period 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.

H.B. 467 extends the statute of limitations period 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.

H.B. 467 does not apply to an offense if the prosecution of that offense becomes barred by limitation before the bill's effective date.

EFFECTIVE DATE

September 1, 2023.