

BILL ANALYSIS

H.B. 1207
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been difficult to solve many cold case murders due to the possible destruction of or tampering with evidence, which is a criminal offense. It has been argued that removing the statute of limitations for this offense would mitigate destruction of or tampering with evidence and provide law enforcement another tool to prosecute offenders who are involved in a murder case. H.B. 1207 removes the statute of limitations for tampering with evidence in which a human corpse is involved or relating to a criminal homicide.

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. 1207 amends the Code of Criminal Procedure to eliminate the statute of limitations for the felony offense of tampering with physical evidence if the evidence tampered with is a human corpse or the investigation of the offense shows that a reasonable person in the position of the defendant at the time of the commission of the offense would have cause to believe that the evidence tampered with is related to a criminal homicide. The bill 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.