

BILL ANALYSIS

S.B. 343
By: Perry
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the prohibition against certain inappropriate relationships involving individuals in custody is too lenient. S.B. 343 seeks to address this issue by revising the conduct constituting an offense for improper sexual activity with a person in custody.

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

S.B. 343 amends the Penal Code to expand the conduct that constitutes an offense for improper sexual activity with a person in custody to include engaging in sexual contact, sexual intercourse, or deviate sexual intercourse with an individual who the actor knows is under the supervision of a community supervision and corrections department but not in the custody of the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, a probation department, or a community supervision and corrections department. The bill includes an employee of a community supervision and corrections department, a person other than an employee who works for compensation at a juvenile facility or local juvenile probation department, and a volunteer at a juvenile facility or local juvenile probation department among the actors to which conduct that constitutes such an offense applies.

EFFECTIVE DATE

September 1, 2017.