

BILL ANALYSIS

Senate Research Center

H.B. 921
By: Danburg (Shapiro)
Criminal Justice
5-17-97
Engrossed

DIGEST

Currently, the statute of limitation for cases of childhood sexual abuse is ten years from the date of the commission of the offense. In some cases, survivors of childhood sexual abuse are too young and too dependent on their abusers to report the abuse within the statutory time period. This bill revises the statute of limitation for sexual offense committed against children.

PURPOSE

As proposed, H.B. 921 sets forth provisions regarding the statute of limitations for certain sexual offenses committed against children.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 12.01, Code of Criminal Procedures, to authorize felony indictments to be presented ten years from the date of the commission of the offense of indecency with a child under Section 21.119a0(2), Penal Code, and ten years from the 18th birthday of the victim of certain offenses.

SECTION 2. Amends Article 12.03(d), Code of Criminal Procedure, to make a conforming change.

SECTION 3. Provides that the change in law made by this Act does not apply to an offense if the prosecution of the offense became barred by limitation before the effective date of this Act. Provides that the prosecution of that offense remains barred as though this Act had not taken effect.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.