

## **BILL ANALYSIS**

Senate Research Center  
76R6386 GWK-D

H.B. 1535  
By: Allen (Brown)  
Criminal Justice  
5/12/1999  
Engrossed

### **DIGEST**

Currently, Section 3g, Article 42.12, Code of Criminal Procedure, exempts only a sexual assault committed against a child from the applicability of Section 3. Section 3 authorizes a judge to place a defendant on community supervision after conviction or a plea of guilty or nolo contendere. This bill would exempt any sexual assault, as defined in Section 22.011, Penal Code, from the applicability of Section 3 of the Code of Criminal Procedure.

### **PURPOSE**

As proposed, H.B. 1535 exempts any sexual assault, as defined in Section 22.011, Penal Code, from the applicability of Section 3 of the Code of Criminal Procedure, authorizing a judge to place a defendant on community supervision after conviction or a plea of guilty or nolo contendere.

### **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 Section 3g(a), Article 42.12, Code of Criminal Procedure, to include all of Section 22.011, Penal Code, rather than only Section 22.011(a)(2), Penal Code, among the sections to which Section 3 of this Article does not apply.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.