

BILL ANALYSIS

Senate Research Center
76R10234 GWK-F

S.B. 1830
By: Shapiro
Criminal Justice
4/27/1999
As Filed

DIGEST

Currently, under Texas law, family violence committed in the presence of a child does not carry an enhanced punishment. This bill would enhance the penalty for an offense committed against a family member in the presence of a child 17 years old and younger from a Class A misdemeanor for assault to a third degree felony.

PURPOSE

As proposed, S.B. 1830 provides that the penalty for an offense committed against a family member in the presence of a child 17 years old and younger is a third degree felony.

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 22.01(b), Penal Code, to provide that an offense under Subsection (a)(1) is a felony of the third degree if the offense is committed against a family member and the offense was committed in the presence of another family member who was, at the time of the commission of the offense, a child younger than 17 years of age.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.