

BILL ANALYSIS

Senate Research Center
76R12552 GWK-D

C.S.S.B. 22
By: Nelson
Criminal Justice
4/15/1999
Committee Report (Substituted)

DIGEST

Currently, under Texas law, aggravated assault is not included among the offenses in which offenders are denied eligibility for release on community supervision or early parole. This is an inconsistency in the statute regarding the punishment of violent offenders. This bill creates conformity in the law by denying eligibility for release on community supervision or early parole of a person convicted of aggravated assault in the same manner that other violent offenders are excluded.

PURPOSE

As proposed, C.S.S.B. 22 would deny a person convicted of aggravated assault the eligibility for release on community supervision or parole.

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 Section 22.02(a)(1), Penal Code (aggravated assault) among the offenses under which a defendant is adjudged guilty for which the provisions of Section 3 of this article do not apply.

SECTION 2. Amends Section 508.145(d), Government Code, to make conforming and nonsubstantive changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 3g(a), Article 42.12, Code of Criminal Procedure, to include Section 22.02(a)(1), Penal Code (aggravated assault), rather than Section 22.02, Penal Code, among the offenses under which a defendant is adjudged guilty for which the provisions of Section 3 of this article do not apply.