

BILL ANALYSIS

Senate Research Center
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S.B. 240
By: Wentworth
Criminal Justice
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As Filed

DIGEST AND PURPOSE

Currently, a person cannot be charged with hindering apprehension or prosecution if the defendant being harbored was being sought for revocation of probation, as the result of a 1990 court decision. As proposed, S.B. 240 allows for the prosecution of individuals who harbor a probationer while in fugitive status by setting forth clear legislative intent within this bill.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 38.05(a), Penal Code, to provide that a person commits an offense if, with intent to hinder the arrest, prosecution, conviction, or punishment of another (rather than hindering the arrest, prosecution, conviction, or punishment of another for an offense) or, with intent to hinder the arrest, detention, adjudication, or disposition of a child for engaging in delinquent conduct that violates a penal law of the grade of felony, the person performs certain actions.

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.