

BILL ANALYSIS

Senate Research Center
78R583 ATP-D

S.B. 958
By: Duncan
Criminal Justice
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As Filed

DIGEST AND PURPOSE

Currently, if an individual is placed in a correctional facility and escapes or has an unauthorized absence, only the county in which the correctional facility resides may prosecute the individual for that offense of escape or unauthorized absence. As proposed, S.B. 958 allows the placing county to prosecute escapees placed in another county for an offense originally committed in the placing county.

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 Chapter 13, Code of Criminal Procedure, by adding Article 13.28, as follows:

Art. 13.28. ESCAPE; UNAUTHORIZED ABSENCE. Authorizes an offense of escape under Section 38.06 (Escape), Penal Code, or unauthorized absence under Section 38.113 (Unauthorized Absence From Community Corrections Facility, County Correctional Center, or Assignment Site), Penal Code, to be prosecuted in the county in which the offense of escape or unauthorized absence was committed or the county in which the defendant committed the offense for which the defendant was placed in custody, detained, or required to submit to treatment.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2003.