

## **BILL ANALYSIS**

Senate Research Center  
81R16883 KEL-D

H.B. 825  
By: Hochberg et al. (Hegar)  
Criminal Justice  
5/18/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 825 relates to prohibiting deferred adjudication community supervision for certain defendants convicted of murder.

### **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 5(d), Article 42.12, Code of Criminal Procedure, to authorize the judge in all other cases to grant deferred adjudication unless the defendant is charged with an offense under Section 19.02 (Murder), Penal Code, except that the judge is authorized to grant deferred adjudication on determining that the defendant did not cause the death of the deceased, did not intend to kill the deceased or another, and did not anticipate that a human life would be taken. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.