

BILL ANALYSIS

Senate Research Center

S.B. 170
By: West
Criminal Justice
2-18-97
As Filed

DIGEST

Currently, the definition of "victim" in the Family Code is one who has suffered sexual assault, kidnapping, aggravated robbery, bodily injury, or death at the hands of a juvenile offender, or the owner or lessor of property that is damaged or lost as a result of the conduct of a juvenile offender. A victim of these juvenile crimes is entitled to certain rights in the Family Code such as notification upon release and the right to be informed of relevant court proceedings. However, problems arise because certain crimes committed by juveniles, such as indecency with a child, are not included within the definition of "victim," precluding victims' claims to these rights. This legislation expands the definition of "victim" to include any person that suffers a pecuniary loss, personal injury, or harm resulting from the delinquent conduct of a juvenile.

PURPOSE

As proposed, S.B. 170 establishes the rights of a victim of a delinquent child.

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 57.001(3), Family Code, to redefine "victim" as a person who as the result of the delinquent conduct of a child suffers a pecuniary loss or personal injury or harm. Deletes the provision defining a "victim" as a person who is the victim of the delinquent conduct of a child that includes the elements under the penal law of this state of sexual assault, kidnapping, or aggravated robbery; has suffered bodily injury or death as a result of the conduct of a child that violates a penal law of this state; or is the owner or lessor of property damaged or lost as a result of the conduct of a child that violates a penal law of this state.

SECTION 2. Emergency clause.
Effective date: 90 days after adjournment.