

## **BILL ANALYSIS**

Senate Research Center  
82R7853 KEL-D

H.B. 371  
By: Hochberg et al. (Hegar)  
Criminal Justice  
5/19/2011  
Engrossed

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

H.B. 371 amends current law relating 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 certain offenses, including 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.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2011.