

BILL ANALYSIS

H.B. 189
By: Thompson, Senfronia
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Evidence suggests that an overwhelming majority of sexual assault victims know the perpetrator, that a similarly large majority of sexual assault victims do not report the crime, and that a majority of rapists are currently at large. Typically, the statute of limitations for sexual assault is 10 years from the date of the commission of the offense, and only under certain circumstances is there no statute of limitations. Concerned parties note that in many circumstances it takes several years for a victim of sexual assault to overcome the emotional trauma of the assault and come forward to authorities. In other cases, due to technology incapacities, the proper processing of certain evidence might not be able to occur until years later when new technology advances are made. To address these issues, H.B. 189 seeks to eliminate the statute of limitations for sexual assault and aggravated sexual assault offenses.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 189 amends the Code of Criminal Procedure to include all offenses of sexual assault or aggravated sexual assault, rather than only offenses involving a child victim or unidentified biological material, among the offenses for which there is no statute of limitations.

EFFECTIVE DATE

September 1, 2015.