

BILL ANALYSIS

S.B. 966
By: Watson
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that higher education institutions in Texas face serious challenges in effectively addressing sexual assault, particularly given that victims and witnesses are less likely to report sexual assault when doing so may result in criminal charges for underage drinking. S.B. 966 seeks to address this issue by removing a barrier discouraging victims and witnesses from reporting sexual assault.

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

S.B. 966 amends the Alcoholic Beverage Code to exempt from application of an offense for the consumption or possession of alcohol by a minor a minor who reports the sexual assault of the minor or another person to a health care provider treating the victim of the sexual assault; to an employee of a law enforcement agency, including an employee of a campus police department of an institution of higher education; or to the Title IX coordinator of an institution of higher education or another employee of the institution responsible for responding to reports of sexual assault. The bill also exempts from application of either offense a minor who is the victim of a sexual assault so reported by another person to those entities. The bill entitles a minor to raise such a defense in the prosecution of the applicable offense only if the minor is in violation of statutory provisions relating to such an offense at the time of the commission of a sexual assault that is so reported by the minor or committed against the minor and so reported by another person. The bill establishes that a minor who commits a sexual assault that is reported in such a manner is not entitled to raise such a defense in the prosecution for the consumption or possession of alcohol by a minor.

EFFECTIVE DATE

September 1, 2017.