

BILL ANALYSIS

H.B. 3587
By: Hunter
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that the punishment for aggravated kidnapping of a child does not reflect the seriousness of the offense. H.B. 3587 seeks to address this issue by creating a first degree felony for the aggravated kidnapping of a child.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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. 3587 amends the Penal Code to create a first degree felony offense for intentionally or knowingly abducting a child younger than 18 years of age. The bill establishes as an affirmative defense to prosecution for the offense that the abduction was not coupled with intent to use or to threaten to use deadly force, the actor was a relative of the victim, and the actor's sole intent was to assume lawful control of the victim.

EFFECTIVE DATE

September 1, 2019.