

SUBJECT: Amending penalty for injury to a child

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 5 ayes — Herrero, Moody, Leach, Shaheen, Simpson

0 nays

2 absent — Canales, Hunter

WITNESSES: For — Dimple Patel, TexProtects; (*Registered, but did not testify*: Will Francis, National Association of Social Workers - Texas Chapter; Sarah Crockett, Texas CASA; Yannis Banks, Texas NAACP; Casey Smith, United Ways of Texas; Knox Kimberly, Upbring (the new Lutheran Social Services of the South); Alicia Vogel)

Against — (*Registered, but did not testify*: Kristin Etter, Texas Criminal Defense Lawyers Association)

BACKGROUND: Penal Code, sec. 12.32 defines the punishment for a first-degree felony as imprisonment for life or for any term of not more than 99 years or less than 5 years. An individual also may be punished by a fine not to exceed \$10,000.

DIGEST: CSHB 3977 would increase the minimum term of imprisonment for the first-degree felony of serious bodily or mental injury to a child from 5 years to 10 years if the conduct was committed intentionally or knowingly.

The bill also would prohibit a judge from suspending the imposition of a sentence and ordering community supervision for the offenses of causing serious bodily injury or mental deficiency, impairment, or injury to a child if the offense was punishable as a felony of the first degree.

The bill would take effect September 1, 2015, would apply only to offenses committed on or after that date.