

BILL ANALYSIS

Senate Research Center

S.B. 1010
By: Whitmire
Criminal Justice
4-8-97
As Filed

DIGEST

Currently, it is not a crime for an inmate from another state to escape from a private facility. This bill will expand the definition of "custody" for the purpose of prosecuting the offense of escape.

PURPOSE

As proposed, S.B. 1010 expands the definition of "custody" for the purpose of prosecuting the offense of escape.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 38.01(1), Penal Code, to redefine "custody" to include under restraint by a public servant pursuant to an order of a court of this state or another state of the United States, or under restraint by an agent or employee of a facility that is operated under contract with the United States and that confines persons arrested for, charged with, or convicted of criminal offenses.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.