

BILL ANALYSIS

Senate Research Center

H.B. 628
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Criminal Justice
5/13/1999
Engrossed

DIGEST

Currently, a person who has knowledge of an act of aggravated sexual assault of a child is not required by law to inform a peace officer or law enforcement agency. H.B. 628 would create an offense for failing to stop or report the aggravated assault of a child.

PURPOSE

As proposed, H.B. 628 creates an offense for failing to stop or report the aggravated assault of a child.

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 Chapter 38, Penal Code, by adding Section 38.17, as follows:

Sec. 38.17. FAILURE TO STOP OR REPORT AGGRAVATED SEXUAL ASSAULT OF CHILD. Establishes that a person, other than a person who has a legal or statutory duty to act or who has assumed care, custody, or control of a child, commits an offense, if the actor observes the commission or attempted commission of certain prohibited offenses or the actor fails to assist the child or immediately report the commission of the offense to a peace officer or law enforcement agency, and the actor could have assisted the child or intervened without being placed in danger of suffering serious bodily injury or death. Provides that an offense under this section is a Class A misdemeanor.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.