

BILL ANALYSIS

Senate Research Center
76R2616 JMC-F

S.B. 152
By: West
Criminal Justice
2/22/1999
As Filed

DIGEST

Currently, Texas law may only charge a juvenile adjudicated of committing a felony who escapes from a secure juvenile correctional facility with a Class A misdemeanor, except in cases in which the juvenile causes bodily injury, serious bodily injury, or uses or threatens to use a deadly weapon during the escape. Within the past year, there has been an increase in the number of escapes and attempted escapes at state juvenile correctional facilities. This bill makes the offense of escape by high-risk juvenile inmates a felony of the third degree.

PURPOSE

As proposed, S.B. 152 establishes provisions regarding the punishment for escape committed by certain juveniles in the custody of the Texas Youth Commission.

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 38.06(c), Penal Code, to provide that an offense under this section is a felony of the third degree if the actor is committed to a secure correctional facility, as defined by Section 51.02, Family Code, other than a halfway house, operated by or under contract with the Texas Youth Commission. Makes a conforming change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.