

## **BILL ANALYSIS**

Senate Research Center

S.B. 430  
By: Barrientos  
Criminal Justice  
4/26/1999  
Committee Report (Amended)

### **DIGEST**

Currently, a person who continues to be convicted of a Class C misdemeanor does not received an enhanced punishment, unlike a repeat offender of a Class A or Class C misdemeanor. S.B. 430 would require certain enhanced penalties for repeat offenders of a Class C misdemeanor.

### **PURPOSE**

As proposed, S.B. 430 requires enhanced penalties for certain Class C misdemeanor habitual offenders.

### **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 12.43, Penal Code, to require a defendant to be punished by a certain fine or confinement, or both, if a defendant has been convicted three times on any combination of a Class C misdemeanor under Section 42.01 or 49.02, and each prior offense was committed within 24 months of each other. Makes a conforming change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 12.43(c), Penal Code, to increase the period within which offenses are committed to include any combination of three Class C misdemeanors from 12 months to 24 months.