

## **BILL ANALYSIS**

Senate Research Center  
76R2883 PEP-D

S.B. 480  
By: Bernsen  
Criminal Justice  
4/14/1999  
As Filed

### **DIGEST**

Currently, Texas law provides certain punishments for an actor who intentionally flees from a person known to the actor as a peace officer attempting to lawfully arrest or detain the actor. Provides that the offense is at least a Class B misdemeanor, depending on certain circumstances. S.B. 480 would increase certain penalties for evading arrest or detention with respect to certain offenses.

### **PURPOSE**

As proposed, S.B. 480 establishes penalties for evading arrest or detention with respect to certain offenses.

### **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 38.04 (b), Penal Code, to establish that an offense for evading arrest or detention under this section is a Class B misdemeanor, except for certain offenses including a state jail felony, rather than a Class A misdemeanor, and that certain offenses are a felony of the third degree, rather than a state jail felony. Deletes text regarding a felony of the third degree. Makes conforming changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.