

## **BILL ANALYSIS**

Senate Research Center  
76R4998 GWK-D

S.B. 559  
By: Lucio  
Criminal Justice  
3/22/1999  
As Filed

### **DIGEST**

Currently, the Texas Penal Code provides that a person who causes to a child, elderly individual, or disabled individual serious bodily injury, mental deficiency, or impairment, commits a first degree felony if the conduct is committed intentionally; or a second degree felony if the conduct is engaged in recklessly. S.B. 559 would create a first degree felony if a person harms a child younger than six years of age.

### **PURPOSE**

As proposed, S.B. 559 creates a first degree felony offense if a person recklessly harms 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 Section 22.04(e), Penal Code, to require conduct engaged in recklessly to be a felony of the second degree, unless the victim is a child younger than six years of age, in which event the offense is a felony of the first degree.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.