

## **BILL ANALYSIS**

Senate Research Center  
77R13114 JMC-D

H.B. 2798  
By: Menendez (Staples)  
Criminal Justice  
5/10/2001  
Engrossed

### **DIGEST AND PURPOSE**

Few effective options exist for law enforcement officers to stop fleeing vehicles safely. Other than physical arrest, vehicle pursuit is the most common high-liability area of law enforcement. H.B. 2798 increases the penalty and financial responsibility for a person convicted of evading arrest or detention.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1(4), Article 42.22, Code of Criminal Procedure, to redefine “victim.”

SECTION 2. Amends Section 2(b), Article 42.22, Code of Criminal Procedure, to provide that the state also has a restitution lien to secure certain amounts.

SECTION 3. Amends Section 38.04(b), Penal Code, to provide that an offense under this section is a Class B misdemeanor, except that the offense an offense of an increased class under certain conditions.

SECTION 4. Effective date: September 1, 2001.  
Makes application of this Act prospective.