

BILL ANALYSIS

Senate Research Center

S.B. 1271
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Criminal Justice
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As Filed

DIGEST AND PURPOSE

In 1999, in response to an increased number of escapes and attempted escapes from juvenile correctional facilities, the 76th Texas Legislature established provisions regarding the punishment of offenses for certain juveniles escaping from custody with the Texas Youth Commission. Escape from a juvenile correctional facility had been a Class A misdemeanor, except in cases in which the juvenile caused bodily injury, serious bodily injury, or used or threatened to use a deadly weapon during the escape or attempted escape. As proposed, S.B. 1271 provides that an offense under Section 38.06(c), Penal Code, is a felony of the third degree if the actor is detained in a secure detention or correctional facility operated by or under contract with a juvenile board.

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 38.06(c), Penal Code, to provide that an offense under this section is a third degree felony if the actor is detained in a secure detention facility or a secure correctional facility as defined by Section 51.02 (Definitions), Family Code, operated by or under contract with a juvenile board.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2001.