

BILL ANALYSIS

Senate Research Center
77R310 KEL-D

S.B. 1453
By: Lucio
Criminal Justice
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As Filed

DIGEST AND PURPOSE

The 76th Legislature rescinded the eligibility of a defendant convicted of certain violent felonies to obtain bail pending an appeal. That legislation did not include the conviction of an offense involving injury to a child, elderly individual, or disabled individual. As proposed, S.B. 1453 prohibits a defendant convicted of an offense under Section 22.04, Penal Code, involving injury to a child, elderly individual, or disabled person, from being released on bail pending the appeal of that conviction.

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 Article 44.04(b), Code of Criminal Procedure, to prohibit a defendant from being released on bail pending the appeal from any felony conviction where the punishment equals or exceeds 10 years confinement or where the defendant has been convicted of certain offenses, including an offense under Section 22.04 (Injury to a Child, Elderly Individual, or Disabled Individual), Penal Code.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2001.