

## **BILL ANALYSIS**

Senate Research Center  
77R1530 GWK-F

S.B. 16  
By: Nelson  
Criminal Justice  
2/8/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, the Texas Penal Code allows a defendant, in the punishment phase of a murder trial, to attempt to prove that a murder was an act of sudden-passion, and sets forth the definition of “adequate cause” for a sudden-passion defense. If proven, the penalty for the offense may be lessened from a first degree felony to a second degree felony. As proposed, S.B. 16 redefines “adequate cause” by deleting certain terms for the purposes of a sudden passion defense in the punishment phase of a murder trial, to draw a distinction between committing a crime out of anger and committing it out of great fear for one’s own safety.

### **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 19.02(a)(1), Penal Code, to redefine “adequate cause” by deleting the words anger, rage, or resentment.

SECTION 2. Makes application of this act prospective.

SECTION 3. Effective date: September 1, 2001.