

## **BILL ANALYSIS**

Senate Research Center  
78R6793 GWK-F

S.B. 920  
By: Whitmire  
Criminal Justice  
4/7/2003  
As Filed

### **DIGEST AND PURPOSE**

Currently, a court is authorized to punish a defendant who is convicted of a state jail felony by imposing the confinement permissible as punishment for a Class A misdemeanor if certain conditions apply. As proposed, S.B. 920 provides a judge the discretion to sentence an individual convicted of a third degree felony to the punishment allowed for a Class A misdemeanor.

### **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 12.44, Penal Code, as follows:

Sec. 12.44. new heading: REDUCTION OF FELONY PUNISHMENT TO MISDEMEANOR PUNISHMENT. Includes defendants convicted of a felony of the third degree to the list of defendants the court is authorized to punish by imposing the confinement permissible as punishment for a Class A misdemeanor if certain conditions apply.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2003.