

BILL ANALYSIS

Senate Research Center
84R3865 KJE-F

H.B. 580
By: Wu et al. (To Be Filed)
Criminal Justice
5/21/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 580 amends current law relating to the statute of limitations for aggravated assault.

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 12.01, Code of Criminal Procedure, as follows:

Art. 12.01. FELONIES. Provides that except as provided in Article 12.03 (Aggravated Offenses, Attempt, Conspiracy, Solicitation, Organized Criminal Activity), felony indictments may be presented within these limits, and not afterward:

(1)-(6) Makes no change to these subdivisions:

(7) three years from the date of the commission of the offense:

(A) aggravated assault; and

(B) all other felonies not otherwise specified by this article.

SECTION 2. Amends Article 12.03(d), Code of Criminal Procedure, as follows:

(d) Requires that any offense, rather than any offense that bears the title "aggravated" to carry the same limitation period as the primary crime if a limitation period has not otherwise been specifically provided for the aggravated offense under another provision of this chapter. Deletes an exception as otherwise provided by this chapter.

SECTION 3. Provides that the change in law made by this Act does not apply to an offense if the prosecution of that offense becomes barred by limitation before the effective date of this Act. Provides that the prosecution of that offense remains barred as if this Act had not taken effect.

SECTION 4. Effective date: September 1, 2015.