

BILL ANALYSIS

Senate Research Center

S.B. 78
By: Ellis
Criminal Justice
1-27-97
As Filed

DIGEST

Between January 1, 1995 and December 17, 1996, 318 places of worship in America were victimized by arson. Currently, provisions under the law that relate to intentional arson of a place of worship or injury or death suffered as a result of arson are somewhat vague. S.B. 78 sets forth provisions regarding the punishment for intentional arson of a place of worship or injury or death suffered as a result of arson.

PURPOSE

As proposed, S.B. 78 establishes punishment for the offense of arson.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 28.02(d), Penal Code, to provide that an offense under this section is a second degree felony except that the offense is a first degree felony if in the trial of the offense it is shown that bodily injury or death was suffered by any person because of the offense, or the actor committing the offense knowing that the property intended to be destroyed was a place of worship. Makes a conforming change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.