

BILL ANALYSIS

Senate Research Center
77R6329 GWK-D

S.B. 1295
By: Van de Putte
Criminal Justice
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As Filed

DIGEST AND PURPOSE

Current state law defines statutory rape as consensual sex between two people of the opposite sex, more than two years apart in age, with one person under 17 years of age. As proposed, S.B. 1295 provides an affirmative defense to prosecution if the defendant is no more than three years older than the victim and the victim was 14 years of age or older.

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 21.11, Penal Code, by adding Subsection (d), to provide that it is an affirmative defense to prosecution under this section that certain factors are met.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2001.