

BILL ANALYSIS

Senate Research Center
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S.B. 50
By: Zaffirini
Criminal Justice
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DIGEST AND PURPOSE

Currently, the victim impact statement in a case of sexual assault is not taken into consideration during the negotiation and settlement of a plea agreement. As proposed, S.B. 50 requires the judge to allow a sexual assault victim or the victim's designee to address the court regarding a plea agreement when the prosecutor "pleads out" a sexual assault case.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 26.13(e), Code of Criminal Procedure, to authorize the victim of a sexual assault or the victim's designee to address the court regarding the impact of the offense on the victim, regardless of whether a victim impact statement has been returned under this subsection.

SECTION 2. Amends Article 56.02(a), Code of Criminal Procedure, to include among the rights granted to a victim, guardian of a victim, or close relative of a deceased victim the right to address the court regarding the impact of the offense on the victim, if permitted by Article 26.13(e). Makes conforming and nonsubstantive changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2003.