

BILL ANALYSIS

Senate Research Center
79R1879 BDH-D

S.B. 394
By: Seliger
Criminal Justice
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, the terms "reckless driving" and "deadly conduct" are not included in the definition of "criminally injurious conduct." For purposes of determining eligibility for compensation through the Crime Victims' Compensation Fund, these offenses are generally ruled to fall under the definition of "aggravated assault."

As proposed, S.B. 394 adds the offenses of "reckless driving" and "deadly conduct" to the definition of "criminally injurious conduct," in order to clarify the language and ensure victims of these crimes eligibility for compensation through the Crime Victims' Compensation Fund.

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 56.32(a)(4), Code of Criminal Procedure, to redefine "criminally injurious conduct" to include conduct that is in violation of Section 545.157 (Passing Authorized Emergency Vehicle) or 545.401 (Reckless Driving; Offense), Transportation Code, and results in bodily injury or death, and conduct that is in violation of Section 22.05 (Deadly Conduct), Penal Code.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.