

BILL ANALYSIS

H.B. 1426
By: Keel
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, it is not a criminal offense if a person abandons or endangers an elderly or disabled individual, nor is it an offense if a person who has custody, care, or control of a child, elderly individual, or disabled individual fails to provide adequate food, medical care, or shelter to that individual. House Bill 1426 makes these actions criminal offenses.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 1426 amends the Penal Code to make it an offense to abandon or endanger an elderly or disabled individual. Such an offense is a state jail felony if the person intends to return, a third degree felony if there is no such intent, or a second degree felony if the abandonment places the person in imminent danger of death, bodily injury, or physical or mental impairment. Furthermore, it is a second degree felony if a person intentionally fails to provide food, medical care or shelter for a child, elderly individual, or disabled individual.

EFFECTIVE DATE

September 1, 2003.