

By: Phelan

H.B. No. 2589

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of and punishment for assaulting a disabled individual; increasing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 22.021(b), Penal Code, is amended by amending Subdivision (2) and adding Subdivision (3) to read as follows:

(2) "Elderly individual" has ~~[and — "disabled individual" have]~~ the meaning ~~[meanings]~~ assigned by Section 22.04(c).

(3) "Disabled individual" means a person older than 13 years of age who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect the person's self from harm or to provide food, shelter, or medical care for the person's self.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION 3. This Act takes effect September 1, 2015.