

By: King of Taylor

H.B. No. 768

A BILL TO BE ENTITLED

AN ACT

relating to the penalty for causing certain assaultive physical contact with a child.

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

SECTION 1. Section 22.01(c), Penal Code, is amended to read as follows:

(c) An offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that the offense is:

(1) a Class A misdemeanor if the offense is committed under Subsection (a)(3):

(A) against an elderly individual or disabled individual[, as those terms are defined by Section 22.04]; or

(B) against a child by a person who is 17 years of age or older at the time of the offense; or

(2) a Class B misdemeanor if the offense is committed by a person who is not a sports participant against a person the actor knows is a sports participant either:

(A) while the participant is performing duties or responsibilities in the participant's capacity as a sports participant; or

(B) in retaliation for or on account of the participant's performance of a duty or responsibility within the participant's capacity as a sports participant.

SECTION 2. Section 22.01(e), Penal Code, is amended by

1 adding Subdivision (2) to read as follows:

2 (2) "Child," "disabled individual," and "elderly  
3 individual" have the meanings assigned by Section 22.04.

4 SECTION 3. The change in law made by this Act applies only  
5 to an offense committed on or after the effective date of this Act.  
6 An offense committed before the effective date of this Act is  
7 governed by the law in effect on the date the offense was committed,  
8 and the former law is continued in effect for that purpose. For  
9 purposes of this section, an offense was committed before the  
10 effective date of this Act if any element of the offense occurred  
11 before that date.

12 SECTION 4. This Act takes effect September 1, 2015.