

1-1 By: Johnson of Dallas, et al. H.B. No. 55
 1-2 (Senate Sponsor - Springer)
 1-3 (In the Senate - Received from the House May 1, 2023;
 1-4 May 1, 2023, read first time and referred to Committee on Criminal
 1-5 Justice; May 21, 2023, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-7 May 21, 2023, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 COMMITTEE SUBSTITUTE FOR H.B. No. 55 By: Flores

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the punishment for the criminal offense of indecent
 1-21 assault; increasing a criminal penalty.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 22.012, Penal Code, is amended by
 1-24 amending Subsection (b) and adding Subsection (d) to read as
 1-25 follows:

1-26 (b) An offense under this section is a Class A misdemeanor,
 1-27 except that the offense is:

1-28 (1) a state jail felony if it is shown on the trial of
 1-29 the offense that:

1-30 (A) the defendant has been previously convicted
 1-31 of an offense under this section, other than an offense punishable
 1-32 under Paragraph (B); or

1-33 (B) the defendant is a health care services
 1-34 provider or a mental health services provider and the act is:

1-35 (i) committed during the course of
 1-36 providing a treatment or service to the victim; and

1-37 (ii) beyond the scope of generally accepted
 1-38 practices for the treatment or service; or

1-39 (2) a felony of the third degree if it is shown on the
 1-40 trial of the offense that the defendant has been previously
 1-41 convicted of an offense under this section that is punishable under
 1-42 Subdivision (1)(B).

1-43 (d) In this section, "health care services provider" and
 1-44 "mental health services provider" have the meanings assigned by
 1-45 Section 22.011.

1-46 SECTION 2. The changes in law made by this Act apply only to
 1-47 an offense committed on or after the effective date of this Act. An
 1-48 offense committed before the effective date of this Act is governed
 1-49 by the law in effect on the date the offense was committed, and the
 1-50 former law is continued in effect for that purpose. For purposes of
 1-51 this section, an offense was committed before the effective date of
 1-52 this Act if any element of the offense occurred before that date.

1-53 SECTION 3. This Act takes effect September 1, 2023.

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