

1-1 By: Ellis (Senate Sponsor - Staples) H.B. No. 178
1-2 (In the Senate - Received from the House March 31, 2003;
1-3 April 3, 2003, read first time and referred to Committee on State
1-4 Affairs; May 8, 2003, rereferred to Committee on Administration;
1-5 May 13, 2003, reported favorably by the following vote: Yeas 7,
1-6 Nays 0; May 13, 2003, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to immunity for certain governmental employees for an act
1-10 or omission committed while supervising an inmate or offender
1-11 program or activity.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Article 42.20(c), Code of Criminal Procedure, is
1-14 amended to read as follows:

1-15 (c) This article applies to:

1-16 (1) a director or employee of a community supervision
1-17 and corrections department or a community corrections facility;

1-18 (2) a sheriff or employee of a sheriff's department;

1-19 (3) a county judge, county attorney, county
1-20 commissioner, or county employee;

1-21 (4) a district judge, district attorney, or criminal
1-22 district attorney;

1-23 (5) [~~(4)~~] an officer or employee of a state agency; or

1-24 (6) [~~(5)~~] an officer or employee of a political
1-25 subdivision other than a county.

1-26 SECTION 2. Section 8(g), Article 42.03, Code of Criminal
1-27 Procedure, as redesignated and amended by Section 1, Chapter 201,
1-28 Acts of the 73rd Legislature, Regular Session, 1993, is repealed.

1-29 SECTION 3. (a) This Act takes effect September 1, 2003.

1-30 (b) The change in the law made by this Act applies only to
1-31 immunity from liability for an act or omission committed on or after
1-32 the effective date of this Act. An act or omission committed before
1-33 the effective date of this Act is covered by the law in effect at the
1-34 time the act or omission was committed, and the former law is
1-35 continued in effect for that purpose.

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