

By: Keel

H.B. No. 274

Substitute the following for H.B. No. 274:

By: Allen

C.S.H.B. No. 274

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of harassment by persons in certain correctional and detention facilities.

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

SECTION 1. Section 22.11, Penal Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) A person commits an offense if the person, while imprisoned or confined in a ~~[secure]~~ correctional or detention facility ~~[or a facility operated by or under contract with the Texas Youth Commission]~~ and with intent to harass, alarm, or annoy another person, causes the other person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of the actor or any other person.

(d) In this Section, "correctional or detention facility" means:

(1) a secure correctional facility; or
(2) a "secure correctional facility" or a "secure detention facility" as defined by Section 51.02, Family Code, operated by or under contract with a juvenile board or the Texas Youth Commission or any other facility operated by or under contract with that commission.

SECTION 2. (a) This Act takes effect September 1, 2003.

(b) The change in law made by this Act applies only to an

1 offense committed on or after September 1, 2003. An offense
2 committed before September 1, 2003, is covered by the law in effect
3 when the offense was committed, and the former law is continued in
4 effect for that purpose. For the purposes of this subsection, an
5 offense was committed before September 1, 2003, if any element of
6 the offense occurred before that date.