

1-1 By: Keel, et al. (Senate Sponsor - Armbrister) H.B. No. 274
1-2 (In the Senate - Received from the House April 2, 2003;
1-3 April 7, 2003, read first time and referred to Committee on
1-4 Criminal Justice; May 23, 2003, reported favorably by the
1-5 following vote: Yeas 4, Nays 0; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the prosecution of the offense of harassment by persons
1-9 in certain correctional and detention facilities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 22.11, Penal Code, is amended by
1-12 amending Subsection (a) and adding Subsection (d) to read as
1-13 follows:

1-14 (a) A person commits an offense if the person, while
1-15 imprisoned or confined in a [~~secure~~] correctional or detention
1-16 facility [~~or a facility operated by or under contract with the Texas~~
1-17 ~~Youth Commission~~] and with intent to harass, alarm, or annoy
1-18 another person, causes the other person to contact the blood,
1-19 seminal fluid, vaginal fluid, saliva, urine, or feces of the actor
1-20 or any other person.

1-21 (d) In this section, "correctional or detention facility"
1-22 means:

1-23 (1) a secure correctional facility; or
1-24 (2) a "secure correctional facility" or a "secure
1-25 detention facility" as defined by Section 51.02, Family Code,
1-26 operated by or under contract with a juvenile board or the Texas
1-27 Youth Commission or any other facility operated by or under
1-28 contract with that commission.

1-29 SECTION 2. (a) This Act takes effect September 1, 2003.

1-30 (b) The change in law made by this Act applies only to an
1-31 offense committed on or after September 1, 2003. An offense
1-32 committed before September 1, 2003, is covered by the law in effect
1-33 when the offense was committed, and the former law is continued in
1-34 effect for that purpose. For the purposes of this subsection, an
1-35 offense was committed before September 1, 2003, if any element of
1-36 the offense occurred before that date.

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