

1-1 By: Giddings (Senate Sponsor - Nelson) H.B. No. 532
1-2 (In the Senate - Received from the House May 7, 2003;
1-3 May 9, 2003, read first time and referred to Committee on Criminal
1-4 Justice; May 24, 2003, reported favorably, as amended, by the
1-5 following vote: Yeas 4, Nays 0; May 24, 2003, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Hinojosa

1-7 On page 1, line 22, between "school" and "and", insert "at
1-8 which the employee works".

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to creating the offense of improper sexual relations
1-12 between employees of a public or private primary or secondary
1-13 school and certain students.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Chapter 21, Penal Code, is amended by adding
1-16 Section 21.12 to read as follows:

1-17 Sec. 21.12. IMPROPER RELATIONSHIP BETWEEN EDUCATOR AND
1-18 STUDENT. (a) An employee of a public or private primary or
1-19 secondary school commits an offense if the employee engages in
1-20 sexual contact, sexual intercourse, or deviate sexual intercourse
1-21 with a person who is enrolled in a public or private primary or
1-22 secondary school and who is not the employee's spouse.

1-23 (b) An offense under this section is a felony of the second
1-24 degree.

1-25 (c) If conduct constituting an offense under this section
1-26 also constitutes an offense under another section of this code, the
1-27 actor may be prosecuted under either section or both sections.

1-28 SECTION 2. This Act takes effect September 1, 2003.

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