

AN ACT

relating to the punishment for assaults committed against certain sports participants.

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

SECTION 1. Sections 22.01(c) and (e), Penal Code, are amended to read as follows:

(c) An offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that the ~~[an]~~ offense ~~[under Subsection (a)(3)]~~ is:

(1) a Class A misdemeanor if the offense is [was] committed under Subsection (a)(3) against an elderly individual or disabled individual, as those terms are defined by Section 22.04; or

(2) a Class B misdemeanor if the offense is committed by a person who is not a sports participant against a person the actor knows is a sports participant either:

(A) while the participant is performing duties or responsibilities in the participant's capacity as a sports participant; or

(B) in retaliation for or on account of the participant's performance of a duty or responsibility within the participant's capacity as a sports participant.

(e) In this section:

(1) "Family" has the meaning assigned by Section

1 71.003, Family Code.

2 (2) "Household" has the meaning assigned by Section
3 71.005, Family Code.

4 (3) "Sports participant" means a person who
5 participates in any official capacity with respect to an
6 interscholastic, intercollegiate, or other organized amateur or
7 professional athletic competition and includes an athlete,
8 referee, umpire, linesman, coach, instructor, administrator, or
9 staff member.

10 SECTION 2. The change in law made by this Act applies only
11 to an offense committed on or after the effective date of this Act.
12 An offense committed before the effective date of this Act is
13 covered by the law in effect when the offense was committed, and the
14 former law is continued in effect for that purpose. For purposes of
15 this section, an offense was committed before the effective date of
16 this Act if any element of the offense occurred before that date.

17 SECTION 3. This Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 716 was passed by the House on May 1, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 716 on May 30, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 716 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor