

1-1 By: Delisi, Homer, Pena (Senate Sponsor - Harris) H.B. No. 716  
1-2 (In the Senate - Received from the House May 2, 2003;  
1-3 May 6, 2003, read first time and referred to Committee on Criminal  
1-4 Justice; May 22, 2003, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;  
1-6 May 22, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 716 By: Ellis

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the punishment for assaults committed against certain  
1-11 sports participants.

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

1-13 SECTION 1. Subsections (c) and (e), Section 22.01, Penal  
1-14 Code, are amended to read as follows:

1-15 (c) An offense under Subsections (a)(2) or (3) is a Class C  
1-16 misdemeanor, except that the [an] offense [under Subsection (a)(3)]  
1-17 is:

1-18 (1) a Class A misdemeanor if the offense is [was]  
1-19 committed under Subsection (a)(3) against an elderly individual or  
1-20 disabled individual, as those terms are defined by Section 22.04;  
1-21 or

1-22 (2) a Class B misdemeanor if the offense is committed  
1-23 by a person who is not a sports participant against a person the  
1-24 actor knows is a sports participant either:

1-25 (A) while the participant is performing duties or  
1-26 responsibilities in the participant's capacity as a sports  
1-27 participant; or

1-28 (B) in retaliation for or on account of the  
1-29 participant's performance of a duty or responsibility within the  
1-30 participant's capacity as a sports participant.

1-31 (e) In this section:

1-32 (1) "Family" has the meaning assigned by Section  
1-33 71.003, Family Code.

1-34 (2) "Household" has the meaning assigned by Section  
1-35 71.005, Family Code.

1-36 (3) "Sports participant" means a person who  
1-37 participates in any official capacity with respect to an  
1-38 interscholastic, intercollegiate, or other organized amateur or  
1-39 professional athletic competition and includes an athlete,  
1-40 referee, umpire, linesman, coach, instructor, administrator, or  
1-41 staff member.

1-42 SECTION 2. The change in law made by this Act applies only  
1-43 to an offense committed on or after the effective date of this Act.  
1-44 An offense committed before the effective date of this Act is  
1-45 covered by the law in effect when the offense was committed, and the  
1-46 former law is continued in effect for that purpose. For purposes of  
1-47 this section, an offense was committed before the effective date of  
1-48 this Act if any element of the offense occurred before that date.

1-49 SECTION 3. This Act takes effect September 1, 2003.

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