

AN ACT

relating to the punishment of certain assaults committed against persons who contract with government and employees of those persons.

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

SECTION 1. Section 22.01(b), Penal Code, is amended to read as follows:

(b) An offense under Subsection (a)(1) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against:

(1) a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant; ~~[or]~~

(2) a member of the defendant's family or household, if it is shown on the trial of the offense that the defendant has been previously convicted of an offense against a member of the defendant's family or household under this section; or

(3) a person who contracts with government to perform a service in a facility as defined by Section 1.07(a)(14), Penal Code; Section 51.02(13), Family Code; or Section 51.02(14), Family Code, or an employee of that person:

(A) while the person or employee is engaged in performing a service within the scope of the contract, if the actor

1 knows the person or employee is authorized by government to provide
2 the service; or

3 (B) in retaliation for or on account of the
4 person's or employee's performance of a service within the scope of
5 the contract.

6 SECTION 2. (a) The change in law made by this Act applies
7 only to an offense committed on or after the effective date of this
8 Act. For purposes of this section, an offense is committed before
9 the effective date of this Act if any element of the offense occurs
10 before the effective date.

11 (b) An offense committed before the effective date of this
12 Act is covered by the law in effect when the offense was committed,
13 and the former law is continued in effect for that purpose.

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

H.B. No. 2525

President of the Senate

Speaker of the House

I certify that H.B. No. 2525 was passed by the House on May 9, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2525 on May 30, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2525 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