

By: Ellis (Senate Sponsor - Whitmire) H.B. No. 2525  
(In the Senate - Received from the House May 12, 2003;  
May 13, 2003, read first time and referred to Committee on Criminal  
Justice; May 24, 2003, reported favorably, as amended, by the  
following vote: Yeas 4, Nays 0; May 24, 2003, sent to printer.)

COMMITTEE AMENDMENT NO. 1 By: Whitmire

Amend HB 2525 (Engrossed version) as follows:  
On page , line , after word "service" insert "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".

A BILL TO BE ENTITLED  
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 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  
knows the person or employee is authorized by government to provide  
the service; or

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

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

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

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

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