

1-1 By: Harris, Whitmire S.B. No. 1919
1-2 (In the Senate - Filed April 24, 2003; April 25, 2003, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 May 9, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 4, Nays 0; May 9, 2003, sent
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1919 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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