

By: Jones of Dallas

H.B. No. 671

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of an offense involving injury to
3 certain individuals.

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

5 SECTION 1. Section 22.04(c)(2), Penal Code, is amended to
6 read as follows:

7 (2) "Elderly individual" means a person 60 [~~65~~] years
8 of age or older.

9 SECTION 2. Section 22.04(d), Penal Code, is amended to read
10 as follows:

11 (d) The actor, including an employee of a nursing facility
12 licensed under Chapter 242, Health and Safety Code, an assisted
13 living facility licensed under Chapter 247, Health and Safety Code,
14 and an intermediate care facility for the mentally retarded
15 licensed under Chapter 252, Health and Safety Code, has assumed
16 care, custody, or control if the actor [~~he~~] has by act, words, or
17 course of conduct acted so as to cause a reasonable person to
18 conclude that the actor [~~he~~] has accepted responsibility for
19 protection, food, shelter, and medical care for a child, elderly
20 individual, or disabled individual.

21 SECTION 3. The change in law made by this Act applies only
22 to an offense committed on or after September 1, 2005. An offense
23 committed before September 1, 2005, is covered by the law in effect
24 when the offense was committed, and the former law is continued in

1 effect for that purpose. For purposes of this section, an offense
2 was committed before September 1, 2005, if any element of the
3 offense occurred before that date.

4 SECTION 4. This Act takes effect September 1, 2005.