

By: Hopson

H.B. No. 1242

A BILL TO BE ENTITLED

AN ACT

relating to the harassment of persons by individuals under arrest or detained by a peace officer; creating an offense.

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

SECTION 1. Chapter 22, Penal Code, is amended by adding Section 22.111 to read as follows:

Sec. 22.111. HARASSMENT BY PERSONS IN CUSTODY. (a) A person commits an offense if the person, while under arrest or detained by a peace officer and with intent to harass, alarm, or annoy another person, causes the other person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of the actor or any other person.

(b) An offense under this section is a felony of the third degree.

(c) If conduct constituting an offense under this section also constitutes an offense under another section of this code, the actor may be prosecuted under either section.

SECTION 2. This Act takes effect September 1, 2005.