

## **BILL ANALYSIS**

H.B. 958  
By: Bonnen  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The 80th Legislature, Regular Session, 2007, enacted H.B. 495 to make an assault that causes bodily injury to emergency services personnel a third-degree felony, but the bill did not increase the penalty for aggravated assault against these individuals. Under current law, aggravated assault causing bodily injury is a felony of the second degree, except that it is a felony of the first degree if it is committed against certain individuals, including public servants.

H.B. 958 increases the penalty for aggravated assault against emergency services personnel to a felony of the first degree.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 958 amends the Penal Code to include an aggravated assault offense against a person the actor knows is emergency services personnel while the person is providing emergency services to the list of aggravated assault offenses classified as first degree felonies. The bill specifies that the actor is presumed to have known the person assaulted was emergency services personnel if the person was wearing a distinctive uniform or badge indicating the person's employment as emergency services personnel.

H.B. 958 defines "emergency services personnel."

### **EFFECTIVE DATE**

September 1, 2009.