

Amend CSHB 1010 (house committee report) by striking added SECTION 2 (beginning on page 1, line 12, through page 2, line 16) and substituting the following:

SECTION 2. Section 22.01(c), Penal Code, is amended to read as follows:

(c) An offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that the offense is:

(1) a Class A misdemeanor if the offense is committed under Subsection (a)(3) against an elderly individual or disabled individual, as those terms are defined by Section 22.04; ~~[or]~~

(2) a Class A misdemeanor if the offense is committed under Subsection (a)(3) by a person who is 17 years of age or older against a child as defined by Section 22.04; or

(3) ~~(2)~~ a Class B misdemeanor if the offense is committed by a person who is not a sports participant against a person the actor knows is a sports participant either:

(A) while the participant is performing duties or responsibilities in the participant's capacity as a sports participant; or

(B) in retaliation for or on account of the participant's performance of a duty or responsibility within the participant's capacity as a sports participant.