

By: King of Taylor

H.B. No. 1010

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the penalty for causing certain assaultive physical
3 contact with a child.

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

5 SECTION 1. Section 22.01, Penal Code, is amended by adding
6 Subsections (a-1) and (c-1) and amending Subsection (c) to read as
7 follows:

8 (a-1) A person commits an offense if:

9 (1) the person intentionally or knowingly causes
10 physical contact with a child; and

11 (2) a reasonable person would regard that contact as
12 offensive and sexual in nature.

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

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

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

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

24 (B) in retaliation for or on account of the

1 participant's performance of a duty or responsibility within the
2 participant's capacity as a sports participant.

3 (c-1) An offense under Subsection (a-1) is a Class A
4 misdemeanor.

5 SECTION 2. Section 22.01(e), Penal Code, is amended by
6 adding Subdivision (2) to read as follows:

7 (2) "Child," "disabled individual," and "elderly
8 individual" have the meanings assigned by Section 22.04.

9 SECTION 3. The change in law made by this Act applies only
10 to an offense committed on or after the effective date of this Act.
11 An offense committed before the effective date of this Act is
12 governed by the law in effect on the date the offense was committed,
13 and the former law is continued in effect for that purpose. For
14 purposes of this section, an offense was committed before the
15 effective date of this Act if any element of the offense occurred
16 before that date.

17 SECTION 4. This Act takes effect September 1, 2013.