

By: Rodriguez

S.B. No. 124

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the punishment for the offense of tampering with
3 certain governmental records based on certain reporting for school
4 districts and open-enrollment charter schools.

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

6 SECTION 1. Section 37.10(c)(2), Penal Code, is amended to
7 read as follows:

8 (2) An offense under this section is a felony of the
9 third degree if it is shown on the trial of the offense that the
10 governmental record was:

11 (A) a public school record, report, or assessment
12 instrument required under Chapter 39, Education Code, data reported
13 for a school district or open-enrollment charter school to the
14 Texas Education Agency through the Public Education Information
15 Management System (PEIMS) described by Section 42.006, Education
16 Code, under a law or rule requiring that reporting, or [was] a
17 license, certificate, permit, seal, title, letter of patent, or
18 similar document issued by government, by another state, or by the
19 United States, unless the actor's intent is to defraud or harm
20 another, in which event the offense is a felony of the second
21 degree;

22 (B) a written report of a medical, chemical,
23 toxicological, ballistic, or other expert examination or test
24 performed on physical evidence for the purpose of determining the

1 connection or relevance of the evidence to a criminal action; or

2 (C) a written report of the certification,
3 inspection, or maintenance record of an instrument, apparatus,
4 implement, machine, or other similar device used in the course of an
5 examination or test performed on physical evidence for the purpose
6 of determining the connection or relevance of the evidence to a
7 criminal action.

8 SECTION 2. The change in law made by this Act applies only
9 to an offense committed on or after the effective date of this Act.
10 An offense committed before the effective date of this Act is
11 governed by the law in effect on the date the offense was committed,
12 and the former law is continued in effect for that purpose. For
13 purposes of this section, an offense was committed before the
14 effective date of this Act if any element of the offense occurred
15 before that date.

16 SECTION 3. This Act takes effect September 1, 2013.