

1-1 By: Rodriguez S.B. No. 124  
 1-2 (In the Senate - Filed November 12, 2012; January 29, 2013,  
 1-3 read first time and referred to Committee on Education;  
 1-4 March 27, 2013, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; March 27, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the punishment for the offense of tampering with  
 1-20 certain governmental records based on certain reporting for school  
 1-21 districts and open-enrollment charter schools.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subdivision (2), Subsection (c), Section 37.10,  
 1-24 Penal Code, is amended to read as follows:

1-25 (2) An offense under this section is a felony of the  
 1-26 third degree if it is shown on the trial of the offense that the  
 1-27 governmental record was:

1-28 (A) a public school record, report, or assessment  
 1-29 instrument required under Chapter 39, Education Code, data reported  
 1-30 for a school district or open-enrollment charter school to the  
 1-31 Texas Education Agency through the Public Education Information  
 1-32 Management System (PEIMS) described by Section 42.006, Education  
 1-33 Code, under a law or rule requiring that reporting, or [was] a  
 1-34 license, certificate, permit, seal, title, letter of patent, or  
 1-35 similar document issued by government, by another state, or by the  
 1-36 United States, unless the actor's intent is to defraud or harm  
 1-37 another, in which event the offense is a felony of the second  
 1-38 degree;

1-39 (B) a written report of a medical, chemical,  
 1-40 toxicological, ballistic, or other expert examination or test  
 1-41 performed on physical evidence for the purpose of determining the  
 1-42 connection or relevance of the evidence to a criminal action; or

1-43 (C) a written report of the certification,  
 1-44 inspection, or maintenance record of an instrument, apparatus,  
 1-45 implement, machine, or other similar device used in the course of an  
 1-46 examination or test performed on physical evidence for the purpose  
 1-47 of determining the connection or relevance of the evidence to a  
 1-48 criminal action.

1-49 SECTION 2. The change in law made by this Act applies only  
 1-50 to an offense committed on or after the effective date of this Act.  
 1-51 An offense committed before the effective date of this Act is  
 1-52 governed by the law in effect on the date the offense was committed,  
 1-53 and the former law is continued in effect for that purpose. For  
 1-54 purposes of this section, an offense was committed before the  
 1-55 effective date of this Act if any element of the offense occurred  
 1-56 before that date.

1-57 SECTION 3. This Act takes effect September 1, 2013.

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