

## **BILL ANALYSIS**

H.B. 1829  
By: Thompson, Ed  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

While the penalty enhancement for an assault offense committed against a sports participant has served as a deterrent and as a tool to prosecute such offenses, unfortunately, violent incidents at sporting events continue to occur. Critics assert that an inadvertent loophole relating to the term "participant" means that the enhancement applies only to a person who is not a sports participant. Though it has been explained that the purpose of this limitation was so a student athlete would not be held accountable for actions occurring during the heat of competitive play, there are concerns that the law does not make this purpose clear. As a result, sporting event staff volunteers, coaches, sports officials, and even adult athletes may be exempt from the enhancement. H.B. 1829 seeks to clarify and strengthen existing law relating to an assault at a sporting event.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 1829 amends the Penal Code to increase from a Class B misdemeanor to a Class A misdemeanor the penalty for an offense of assault committed by a person who is not a sports participant against a person the actor knows is a sports participant and to add as a condition for the offense that the actor is not an athlete younger than 19 years of age.

### **EFFECTIVE DATE**

September 1, 2015.