

By: Murr, Cook

H.B. No. 246

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution of the criminal offense of improper  
3 relationship between educator and student.

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

5 SECTION 1. Section 21.01(2), Penal Code, is amended to read  
6 as follows:

7 (2) "Sexual contact" means, except as provided by  
8 Section 21.11 or 21.12, any touching of the anus, breast, or any  
9 part of the genitals of another person with intent to arouse or  
10 gratify the sexual desire of any person.

11 SECTION 2. Section 21.12, Penal Code, is amended by adding  
12 Subsection (e) to read as follows:

13 (e) In this section, "sexual contact" means the following  
14 acts, if committed with the intent to arouse or gratify the sexual  
15 desire of any person:

16 (1) any touching by an employee of a public or private  
17 primary or secondary school of the anus, breast, or any part of the  
18 genitals of:

19 (A) an enrolled person described by Subsection  
20 (a)(1) or (a)(2)(A); or

21 (B) a student participant described by  
22 Subsection (a)(2)(B); or

23 (2) any touching of any part of the body of the  
24 enrolled person or student participant with the anus, breast, or

1 any part of the genitals of the employee.

2           SECTION 3. The change in law made by this Act applies only  
3 to an offense committed on or after the effective date of this Act.  
4 An offense committed before the effective date of this Act is  
5 governed by the law in effect on the date the offense was committed,  
6 and the former law is continued in effect for that purpose. For  
7 purposes of this section, an offense was committed before the  
8 effective date of this Act if any element of the offense was  
9 committed before that date.

10           SECTION 4. This Act takes effect September 1, 2021.