

By: Metcalf

H.B. No. 2593

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty for the offense of
indecent assault against a disabled or elderly individual.

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

SECTION 1. Sections 22.012(b) and (d), Penal Code, are
amended to read as follows:

(b) An offense under this section is a Class A misdemeanor,
except that the offense is:

(1) a state jail felony if it is shown on the trial of
the offense that:

(A) the defendant has been previously convicted
of an offense under this section, other than an offense punishable
under Paragraph (B); or

(B) the defendant is a health care services
provider or a mental health services provider and the act is:

(i) committed during the course of
providing a treatment or service to the victim; and

(ii) beyond the scope of generally accepted
practices for the treatment or service; ~~or~~

(2) a felony of the third degree if it is shown on the
trial of the offense that the defendant has been previously
convicted of an offense under this section that is punishable under
Subdivision (1)(B); or

(3) a felony of the second degree if the victim is a

1 disabled individual or an elderly individual.

2 (d) In this section: [7]

3 (1) "Disabled individual" and "elderly individual"
4 have the meanings assigned by Section 22.04.

5 (2) "Health [~~health~~] care services provider" and
6 "mental health services provider" have the meanings assigned by
7 Section 22.011.

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, 2025.