1-18 A BILL TO BE ENTITLED 1-20 relating to the punishment for the criminal offense of indecent 1-21 assault; increasing a criminal penalty. 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 1-23 SECTION 1. Section 22.012, Penal Code, is amended by 1-24 amending Subsection (b) and adding Subsection (d) to read as 1-25 follows: 1-26 (b) An offense under this section is a Class A misdemeanor, 1-27 except that the offense is: 1-28 (1) a state jail felony if it is shown on the trial of 1-29 (a) the defendant has been previously convicted 1-30 (a) the defendant is a health care services 1-31 (B) the defendant is a health care services 1-32 (B) the defendant is a health care services 1-33 (B) the defendant has been previously accepted 1-34 provider or a mental health services provider and the act is: 1-33 (1) beyond the scope of generally accepted 1-34 practices for the treatment or service; or 1-35 (2) a felony of the third degree if it is shown on the 1-40 trial of the offense that the defendant has been previously <	By: Johnson of Dallas, et al. H.B. No. 55 (Senate Sponsor - Springer) (In the Senate - Received from the House May 1, 2023; May 1, 2023, read first time and referred to Committee on Criminal Justice; May 21, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 7, Nays 0; May 21, 2023, sent to printer.)
1-10 Whitmire X 1-11 Flores X 1-12 Bettencourt X 1-13 Hinojosa X 1-14 Huffman X 1-15 King X 1-16 Miles X 1-17 COMMITTEE SUBSTITUTE FOR H.B. No. 55 By: Flores 1-18 A BILL TO BE ENTITLED 1-19 AN ACT 1-20 relating to the punishment for the criminal offense of indecent 1-21 assault; increasing a criminal penalty. 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 1-23 SECTION 1. Section 22.012, Penal Code, is amended by 1-24 amending Subsection (b) and adding Subsection (d) to read as 1-25 follows: 1-26 (b) An offense under this section is a Class A misdemeanor 1-27 except that the offense is: 1-28 (1) a state jail felony if it is shown on the trial of 1-29 the offense under this section, other than an offense punishable 1-29 (B) the defendant is a health care services 1-20 gractices for the treatment or service; or	COMMITTEE VOTE
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<pre>1-21 assault; increasing a criminal penalty. 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 1-23 SECTION 1. Section 22.012, Penal Code, is amended by amending Subsection (b) and adding Subsection (d) to read as 1-25 follows: 1-26 (b) An offense under this section is a Class A misdemeanor, 1-27 except that the offense is: 1-28 (1) a state jail felony if it is shown on the trial of 1-29 the offense that: 1-30 (A) the defendant has been previously convicted 1-31 of an offense under this section, other than an offense punishable 1-32 under Paragraph (B); or 1-33 (B) the defendant is a health care services 1-34 provider or a mental health services provider and the act is: 1-35 (1) committed during the course of 1-36 providing a treatment or service; or 1-39 (2) a felony of the third degree if it is shown on the 1-40 trial of the offense under this section, that is punishable under 1-44 "mental health services provider and has been previously 1-45 (2) a felony of the third degree if it is shown on the 1-44 "mental health services provider" have the meanings assigned by 1-45 Section 22.01. 1-46 SECTION 2. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An 1-48 offense committed before the effective date of this Act. and 1-49 by the law in effect on the date the offense was committed, and the 1-50 former law is continued in effect for that purpose. For purposes of 1-51 this section, an offense was committed before the effective date of 1-51 this section, an offense was committed before the effective date of 1-51 this section, an offense was committed before the effective date of 1-51 this section, an offense was committed before the effective date of 1-51 this section, an offense was committed before the effective date of 1-51 this section, an offense was committed before the effective date of 1-51 this section, an offense was committed before the effective date of 1-51 this section, an offense was co</pre>	
1-52 this Act if any element of the offense occurred before that date. 1-53 SECTION 3. This Act takes effect September 1, 2023.	BE IT ENACTED BY THE LEGIŠLATURE OF THE STATE OF TEXAS: SECTION 1. Section 22.012, Penal Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows: (b) An offense under this section is a Class A misdemeanor, <u>except that the offense is:</u> (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 <u>under Paragraph (B); or</u> (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 (1) 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 under this section that is punishable under Subdivision (1) (B). (d) In this section, "health care services provider" and "mental health services provider" have the meanings assigned by Section 22.011. SECTION 2. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the
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