

1 AN ACT

2 relating to the punishment for tampering with certain governmental
3 records concerning forensic analyses.

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

5 SECTION 1. Section 37.10(c)(2), Penal Code, is amended to
6 read as follows:

7 (2) An offense under this section is a felony of the
8 third degree if it is shown on the trial of the offense that the
9 governmental record was:

10 (A) a public school record, report, or assessment
11 instrument required under Chapter 39, Education Code, or was a
12 license, certificate, permit, seal, title, letter of patent, or
13 similar document issued by government, by another state, or by the
14 United States, unless the actor's intent is to defraud or harm
15 another, in which event the offense is a felony of the second
16 degree;

17 (B) a written report of a medical, chemical,
18 toxicological, ballistic, or other expert examination or test
19 performed on physical evidence for the purpose of determining the
20 connection or relevance of the evidence to a criminal action; or

21 (C) a written report of the certification,
22 inspection, or maintenance record of an instrument, apparatus,
23 implement, machine, or other similar device used in the course of an
24 examination or test performed on physical evidence for the purpose

1 of determining the connection or relevance of the evidence to a
2 criminal action.

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

11 SECTION 3. This Act takes effect September 1, 2009.

Grand Newkumst

President of the Senate

Jim Strawn

Speaker of the House

I certify that H.B. No. 1813 was passed by the House on April 21, 2009, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 1813 was passed by the Senate on May 11, 2009, by the following vote: Yeas 31, Nays 0.

Daisy Spaw

Secretary of the Senate

APPROVED: 20 MAY '09

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5:00 O'CLOCK

Hope Radtke
Secretary of State