

1 AN ACT  
2 relating to the prosecution of the offense of harassment by persons  
3 in certain correctional and detention facilities.

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

5 SECTION 1. Section 22.11, Penal Code, is amended by  
6 amending Subsection (a) and adding Subsection (d) to read as  
7 follows:

8 (a) A person commits an offense if the person, while  
9 imprisoned or confined in a [~~secure~~] correctional or detention  
10 facility [~~or a facility operated by or under contract with the Texas~~  
11 ~~Youth Commission~~] and with intent to harass, alarm, or annoy  
12 another person, causes the other person to contact the blood,  
13 seminal fluid, vaginal fluid, saliva, urine, or feces of the actor  
14 or any other person.

15 (d) In this section, "correctional or detention facility"  
16 means:

- 17 (1) a secure correctional facility; or  
18 (2) a "secure correctional facility" or a "secure  
19 detention facility" as defined by Section 51.02, Family Code,  
20 operated by or under contract with a juvenile board or the Texas  
21 Youth Commission or any other facility operated by or under  
22 contract with that commission.

23 SECTION 2. (a) This Act takes effect September 1, 2003.

24 (b) The change in law made by this Act applies only to an

1 offense committed on or after September 1, 2003. An offense  
2 committed before September 1, 2003, is covered by the law in effect  
3 when the offense was committed, and the former law is continued in  
4 effect for that purpose. For the purposes of this subsection, an  
5 offense was committed before September 1, 2003, if any element of  
6 the offense occurred before that date.

David Newburn

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 274 was passed by the House on April 1, 2003, by a non-record vote.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 274 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Patricia Spaw

Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
8:30 PM O'CLOCK

Ann Shea  
JUN 20 2003  
Secretary of State