AN ACT

relating to the punishment for the offense of tampering with
certain governmental records based on certain reporting for school
districts and open-enrollment charter schools.

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

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

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

(A) a public school record, report, or assessment
instrument required under Chapter 39, Education Code, data reported
for a school district or open-enrollment charter school to the
Texas Education Agency through the Public Education Information
Management System (PEIMS) described by Section 42.006, Education
Code, under a law or rule requiring that reporting, or [was] a
license, certificate, permit, seal, title, letter of patent, or
similar document issued by government, by another state, or by the
United States, unless the actor's intent is to defraud or harm
another, in which event the offense is a felony of the second
degree;

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

(C) a written report of the certification, inspection, or maintenance record of an instrument, apparatus, implement, machine, or other similar device used in the course of an examination or test performed on physical evidence for the purpose of determining the connection or relevance of the evidence to a criminal action.

SECTION 2. Subsection (d), Section 39.03, Penal Code, is amended to read as follows:

(d) An offense under this section is a Class A misdemeanor, except that an offense is a felony of the third degree if the public servant acted with the intent to impair the accuracy of data reported to the Texas Education Agency through the Public Education Information Management System (PEIMS) described by Section 42.006, Education Code, under a law requiring that reporting.

SECTION 3. The change in law made by this Act applies 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 former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect September 1, 2013.
S.B. No. 124

David Dewhurst  Joe Straus
President of the Senate  Speaker of the House

I hereby certify that S.B. No. 124 passed the Senate on April 3, 2013, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 23, 2013, by the following vote: Yeas 31, Nays 0.

Betsy Laney
Secretary of the Senate

I hereby certify that S.B. No. 124 passed the House, with amendment, on May 20, 2013, by the following vote: Yeas 145, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved: 14 June '13

Date

Rick Perry
Governor