

## **BILL ANALYSIS**

Senate Research Center  
76R9259 GWK-D

H.B. 1713  
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Criminal Justice  
5/3/1999  
Engrossed

### **DIGEST**

Currently, most attempts to prosecute inmates for the throwing of bodily secretions must be treated as a misdemeanor offense. Such punishment provides little deterrent to prison inmates, and in fact, most prosecutors will not pursue misdemeanor charges against an inmate. H.B. 1713 would provide that an offense is committed if a person harasses individuals imprisoned or confined in adult or juvenile correctional facilities, in a certain manner.

### **PURPOSE**

As proposed, H.B. 1713 provides that an offense is committed if a person harasses individuals imprisoned or confined in adult or juvenile correctional facilities.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 22, Penal Code, by adding Section 22.11, as follows:

Sec. 22.11. HARASSMENT BY PERSONS IN CERTAIN CORRECTIONAL FACILITIES.  
Provides that a person commits an offense, if the person imprisoned in certain correctional facilities with intent to harass, alarm, or annoy another person, causes the other person to contact the blood, seminal fluid, urine, or feces of the actor or any other persons. Provides that certain offenses are committed under this section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.