

## BILL ANALYSIS

Senate Research Center  
78R8779 JTS-F

H.B. 565  
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Criminal Justice  
5/22/2003  
Engrossed

### DIGEST AND PURPOSE

In the course of employment, security officers often undertake risks similar to those taken by police officers. However, while current law enhances penalties for certain crimes against public servants, it does not similarly enhance penalties for those crimes when committed against a security officer. H.B. 565 provides for increased punishment for assault and aggravated assault upon security officers in the same manner that current law enhances punishment for those crimes when committed against public servants.

### RULEMAKING AUTHORITY

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

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 22.01(b), and (d), Penal Code, as follows:

(b) Provides that an offense under Subsection (a)(1) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against a person the actor knows is a security officer while the officer is performing a duty as a security officer.

(d) Provides that for purposes of Subsection (b), the actor is presumed to have known the person assaulted was a public servant or a security officer if the person was wearing a distinctive uniform or badge indicating the person's employment as a public servant or status as a security officer.

SECTION 2. Amends Section 22.01(e), Penal Code, by adding Subdivision (3) to define "security officer."

SECTION 3. Amends Section 22.02, Penal Code, by amending Subsections (b) and (c) and adding Subsection (d), as follows:

(b) Provides that an offense under this section is a felony of the second degree, except that the offense is a felony of the first degree if the offense is committed against a person the actor knows is a security officer while the officer is performing a duty as a security officer.

(c) Provides that the actor is presumed to have known the person assaulted was a public servant or a security officer if the person was wearing a distinctive uniform or badge indicating the person's employment as a public servant or status as a security officer.

(d) Defines "security officer."

SECTION 4. Effective date: September 1, 2003.

Makes application of this Act prospective.