

BILL ANALYSIS

Senate Research Center

S.B. 1164
By: Campbell
Criminal Justice
6/2/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 85th Legislative Session, the legislature passed S.B. 7 to address improper relationships and educator misconduct in our school system. However, since this bill was passed, it has become apparent that penalties should be extended outside of the school system to private coaches and tutors.

S.B. 1164 closes a loophole in the Penal Code by adding private coaches and tutors who use their power and influence to exploit the other person's dependency on them to the same section of the sexual assault code that clergyman, public servants, and medical professionals are under.

(Original Author's / Sponsor's Statement of Intent)

S.B. 1164 amends current law relating to the prosecution of the offense of sexual assault.

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 Section 22.011(b), Penal Code, as follows:

(b) Provides that a sexual assault under Subsection (a)(1) (relating to committing an offense if a person intentionally or knowingly performs certain sexual acts) is without the consent of the other person under certain circumstances, including if the actor is a coach or tutor who causes the other person to submit or participate by using the actor's power or influence to exploit the other person's dependency on the actor or if the actor is a caregiver hired to assist the other person with activities of daily life and causes the other person to submit or participate by exploiting the other person's dependency on the actor. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.