

## **BILL ANALYSIS**

Senate Research Center

S.B. 1628  
By: Duncan  
Criminal Justice  
5-20-97  
As Filed

### **DIGEST**

Currently, Texas law does not consider public school employees as public servants. However, prior to the 73rd Legislature, certain penalties were not applicable to employees of public schools who were assaulted. This bill increases the penalty for certain assaults committed against public school employees.

### **PURPOSE**

As proposed, S.B. 1628 increases the penalty for certain assaults committed against public school employees.

### **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 Section 22.01(b), Penal Code, to define "public servant" to include public school employees.

SECTION 2. Amends Section 22.01(c), Penal Code, to provide that an offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that the offense, rather than an offense under Subsection (a)(3) is a Class A misdemeanor. Provides that a Class A misdemeanor is committed if the offense is committed against a public school employee while the employee is engaged in performing duties within the scope of employment or committed in retaliation for or on account of the employee's performance of duties within the scope of employment, among other committed acts.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.