

BILL ANALYSIS

Senate Research Center
77R7685 GWK-F

H.B. 2097
By: Morrison (Staples)
Criminal Justice
5/9/2001
Engrossed

DIGEST AND PURPOSE

Current law provides that it is a state jail felony for an official or employee of a correctional facility or a peace officer to engage in sexual contact, sexual intercourse, or deviate sexual intercourse with an individual in custody. However, this prohibition against improper sexual activity with an individual in custody does not include contract employees or volunteers at a correctional facility. H.B. 2097 extends the prohibition against engaging in improper sexual activity with an individual in custody to a person other than an employee who works for compensation at a correctional facility and to a volunteer at a correctional facility.

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 39.04(a), Penal Code, to provide that an official of a correctional facility, an employee of a correctional facility, a person other than an employee who works for compensation at a correctional facility, a volunteer at a correctional facility, or a peace officer commits an offense if the person intentionally commits certain acts.

SECTION 2. Effective date: September 1, 2001.