

AN ACT

relating to the prosecution of the offense of harassment.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 42.07(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:

(1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;

(2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;

(3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;

(4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;

(5) makes a telephone call and intentionally fails to hang up or disengage the connection;

1 (6) knowingly permits a telephone under the person's
2 control to be used by another to commit an offense under this
3 section;

4 (7) sends repeated electronic communications in a
5 manner reasonably likely to harass, annoy, alarm, abuse, torment,
6 embarrass, or offend another; [~~or~~]

7 (8) publishes on an Internet website, including a
8 social media platform, repeated electronic communications in a
9 manner reasonably likely to cause emotional distress, abuse, or
10 torment to another person, unless the communications are made in
11 connection with a matter of public concern; or

12 (9) makes obscene, intimidating, or threatening
13 telephone calls or other electronic communications from a temporary
14 or disposable telephone number provided by an Internet application
15 or other technological means.

16 SECTION 2. The change in law made by this Act applies only
17 to an offense committed on or after the effective date of this Act.
18 An offense committed before the effective date of this Act is
19 governed by the law in effect on the date the offense was committed,
20 and the former law is continued in effect for that purpose. For
21 purposes of this section, an offense was committed before the
22 effective date of this Act if any element of the offense occurred
23 before that date.

24 SECTION 3. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 1427 was passed by the House on May 2, 2023, by the following vote: Yeas 139, Nays 5, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1427 was passed by the Senate on May 18, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor