

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of official oppression.

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

SECTION 1. Section 39.03, Penal Code, is amended by amending Subsections (a) and (d) and adding Subsection (e) to read as follows:

(a) A public servant acting under color of the public servant's ~~[his]~~ office or employment commits an offense if the public servant ~~[he]~~:

(1) intentionally subjects another to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that the public servant ~~[he]~~ knows is unlawful;

(2) intentionally denies or impedes another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the public servant's ~~[his]~~ conduct is unlawful; ~~[or]~~

(3) intentionally subjects another to sexual harassment; or

(4) directly provides an alcoholic beverage to a legislative employee or intern who is younger than 21 years of age.

(d) An offense under Subsection (a)(1), (2), or (3) ~~[this section]~~ is a Class A misdemeanor, except that the ~~[an]~~ offense is a felony of the third degree if the public servant acted with the intent to impair the accuracy of data reported to the Texas Education Agency through the Public Education Information

1 Management System (PEIMS) described by Sections 48.008 and 48.009,  
2 Education Code, under a law requiring that reporting.

3 (e) An offense under Subsection (a)(4) is a Class A  
4 misdemeanor with a term of confinement of one year.

5 SECTION 2. The change in law made by this Act applies only  
6 to an offense committed on or after the effective date of this  
7 Act. An offense committed before the effective date of this Act is  
8 governed by the law in effect on the date the offense was committed,  
9 and the former law is continued in effect for that purpose. For  
10 purposes of this section, an offense was committed before the  
11 effective date of this Act if any element of the offense occurred  
12 before that date.

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