

## **BILL ANALYSIS**

C.S.H.B. 1471  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The offense of official oppression by a public servant acting under color of office or employment is currently punishable as a Class A misdemeanor. C.S.H.B. 1471 seeks to address instances in which such an offense is committed by a licensed peace officer and causes bodily injury to another by enhancing the penalty in those instances.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1471 amends the Penal Code to enhance the penalty for an offense of official oppression from a Class A misdemeanor to a third degree felony if at the time of the commission of the offense the actor was a licensed peace officer and intentionally or knowingly caused bodily injury to another. The bill specifies that if conduct constituting an offense of official oppression also constitutes an offense under another Penal Code provision, the actor may be prosecuted under either provision or both provisions.

### **EFFECTIVE DATE**

September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1471 differs from the original by enhancing the penalty for official oppression to a third degree felony if at the time of the commission of the offense the actor was a licensed peace officer and intentionally or knowingly caused bodily injury to another, whereas the original enhances the penalty to a third degree felony if the person causes bodily injury to another. The substitute omits a provision included in the original enhancing the penalty for official oppression to a second degree felony if the person causes serious bodily injury to another.