

BILL ANALYSIS

C.S.H.B. 1666
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current statute defines the offense of online harassment in relation to conduct committed on a commercial social networking site but does not directly address similar or identical conduct committed on other Internet websites. C.S.H.B. 1666 includes related conduct committed on Internet websites other than commercial social networking sites within the offense of online harassment.

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. 1666 amends the Penal Code to expand the conduct that constitutes the offense of online harassment to include using the name or persona of another person, without obtaining the other person's consent and with the intent to harm, defraud, intimidate, or threaten any person, to send one or more messages on or through a commercial social networking site or other Internet website, other than on or through an e-mail program or message board program. The bill specifies that the conduct constituting online harassment that involves using the name or persona of another to post one or more messages on a commercial social networking site also includes that conduct on an Internet website other than a commercial social networking site, but not on an e-mail program or message board program.

C.S.H.B. 1666 expands the conduct constituting online harassment that involves using the name or persona of another person to create a web page on a commercial networking site to include such conduct on an Internet website other than a commercial networking site.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1666 differs from the original by exempting from the offense of online harassment the posting or sending of a message on or through an e-mail program or message board program, whereas the original exempts the posting or sending of a message on or through an e-mail program or message board program that functions as part of a certain website.