1   AN ACT

2 relating to the prosecution of the offense of online impersonation.

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

4   SECTION 1. The heading to Section 33.07, Penal Code, is

5 amended to read as follows:

6   Sec. 33.07. ONLINE IMPERSONATION [HARASSMENT].

7   SECTION 2. Section 33.07(a), Penal Code, is amended to read

8 as follows:

9   (a) A person commits an offense if the person, without

10 obtaining the other person's consent and with the intent to harm,

11 defraud, intimidate, or threaten any person, uses the name or

12 persona of another person to:

13   (1) create a web page on a commercial social

14 networking site or other Internet website; or

15   (2) [to] post or send one or more messages on or

16 through a commercial social networking site or other Internet

17 website, other than on or through an electronic mail program or

18 message board program [.

19   [(1) without obtaining the other person's consent; and

20   [(2) with the intent to harm, defraud, intimidate, or

21 threaten any person].

22   SECTION 3. The change in law made by this Act applies only

23 to an offense committed on or after the effective date of this Act.

24 An offense committed before the effective date of this Act is

1 governed by the law in effect on the date the offense was committed,

2 and the former law is continued in effect for that purpose. For

3 purposes of this section, an offense was committed before the

4 effective date of this Act if any element of the offense occurred

5 before that date.

6   SECTION 4. This Act takes effect September 1, 2011.

_____   _____
President of the Senate   Speaker of the House

I certify that H.B. No. 1666 was passed by the House on April 26, 2011, by the following vote: Yeas 141, Nays 1, 2 present, not voting.

_____

Chief Clerk of the House

I certify that H.B. No. 1666 was passed by the Senate on May 19, 2011, by the following vote: Yeas 31, Nays 0.

_____

Secretary of the Senate

APPROVED: _____
Date

_____
Governor