

1-1 By: Castro, Gallego (Senate Sponsor - Watson) H.B. No. 1666
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 April 28, 2011, read first time and referred to Committee on
1-4 Criminal Justice; May 12, 2011, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; May 12, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the prosecution of the offense of online impersonation.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. The heading to Section 33.07, Penal Code, is
1-11 amended to read as follows:

1-12 Sec. 33.07. ONLINE IMPERSONATION [~~HARASSMENT~~].

1-13 SECTION 2. Section 33.07(a), Penal Code, is amended to read
1-14 as follows:

1-15 (a) A person commits an offense if the person, without
1-16 obtaining the other person's consent and with the intent to harm,
1-17 defraud, intimidate, or threaten any person, uses the name or
1-18 persona of another person to:

1-19 (1) create a web page on a commercial social
1-20 networking site or other Internet website; or

1-21 (2) [~~to~~] post or send one or more messages on or
1-22 through a commercial social networking site or other Internet
1-23 website, other than on or through an electronic mail program or
1-24 message board program [~~+~~

1-25 [~~(1) without obtaining the other person's consent; and~~

1-26 [~~(2) with the intent to harm, defraud, intimidate, or~~
1-27 ~~threaten any person~~].

1-28 SECTION 3. The change in law made by this Act applies only
1-29 to an offense committed on or after the effective date of this Act.
1-30 An offense committed before the effective date of this Act is
1-31 governed by the law in effect on the date the offense was committed,
1-32 and the former law is continued in effect for that purpose. For
1-33 purposes of this section, an offense was committed before the
1-34 effective date of this Act if any element of the offense occurred
1-35 before that date.

1-36 SECTION 4. This Act takes effect September 1, 2011.

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