

By: Watson

S.B. No. 1329

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of online harassment.

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

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

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

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

(2) ~~to~~ post or send one or more messages on or through a commercial social networking site or other Internet website, other than on or through an electronic mail program or message board program functioning as part of that website ~~+~~

~~[(1) without obtaining the other person's consent; and  
(2) with the intent to harm, defraud, intimidate, or threaten any person].~~

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the

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1 effective date of this Act if any element of the offense occurred  
2 before that date.

3 SECTION 3. This Act takes effect September 1, 2011.