

By: White

H.B. No. 84

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to persons who are public servants for purposes of the  
3 offense of official oppression.

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

5 SECTION 1. Section 39.03, Penal Code, is amended by adding  
6 Subsection (c-1) to read as follows:

7 (c-1) For purposes of this section, "public servant"  
8 includes:

9 (1) an officer, employee, or agent of:

10 (A) the United States;

11 (B) a branch, department, or agency of the United  
12 States; or

13 (C) another person acting under a contract with a  
14 branch, department, or agency of the United States to provide a  
15 security or law enforcement service; or

16 (2) any other person acting under color of federal  
17 law.

18 SECTION 2. This Act shall be construed, as a matter of state  
19 law, to be enforceable up to but no further than the maximum  
20 possible extent consistent with federal constitutional  
21 requirements, even if that construction is not readily apparent,  
22 and such constructions are authorized only to the extent necessary  
23 to save the statute from judicial invalidation.

24 SECTION 3. This Act takes effect October 1, 2013.