

By: Dutton

H.B. No. 183

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of and punishment for the offense of official oppression.

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

SECTION 1. Sections 39.03(a) and (d), Penal Code, are amended to read as follows:

(a) A public servant acting under color of his office or employment commits an offense if he:

(1) intentionally subjects another to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that he knows is unlawful;

(2) intentionally denies or impedes another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing his conduct is unlawful; ~~or~~

(3) intentionally subjects another to sexual harassment; or

(4) intentionally subjects another to excessive physical force.

(d) An offense under this section is a Class A misdemeanor, except that an offense under Subsection (a)(4) is a felony of the third degree if the actor is a peace officer.

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

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 3. This Act takes effect September 1, 2013.