

By: Miles

H.B. No. 266

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to enhancing the penalty prescribed for certain acts of  
3 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  
6 amending Subsection (d) and adding Subsection (e) to read as  
7 follows:

8 (d) An offense under this section is a Class A misdemeanor,  
9 unless at the time of the commission of the offense the actor was a  
10 licensed peace officer who knowingly caused bodily injury to  
11 another, in which event it is a felony of the third degree.

12 (e) If conduct constituting an offense under this section  
13 also constitutes an offense under another section of this code, the  
14 actor may be prosecuted under either section or both sections.

15 SECTION 2. The change in law made by this Act applies only  
16 to an offense committed on or after the effective date of this Act.  
17 An offense committed before the effective date of this Act is  
18 governed by the law in effect on the date the offense was committed,  
19 and the former law is continued in effect for that purpose. For  
20 purposes of this section, an offense was committed before the  
21 effective date of this Act if any element of the offense occurred  
22 before that date.

23 SECTION 3. This Act takes effect September 1, 2013.