

By: Miles

H.B. No. 265

A BILL TO BE ENTITLED

1 AN ACT
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 except that an offense is a felony of the third degree if:

10 (1) the public servant acted with the intent to impair
11 the accuracy of data reported to the Texas Education Agency through
12 the Public Education Information Management System (PEIMS)
13 described by Section 42.006, Education Code, under a law requiring
14 that reporting; or

15 (2) the public servant at the time of the commission of
16 the offense was a licensed peace officer who knowingly caused
17 bodily injury to another.

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

21 SECTION 2. The change in law made by this Act applies only
22 to an offense committed on or after the effective date of this Act.
23 An offense committed before the effective date of this Act is
24 governed by the law in effect on the date the offense was committed,

1 and the former law is continued in effect for that purpose. For
2 purposes of this section, an offense was committed before the
3 effective date of this Act if any element of the offense occurred
4 before that date.

5 SECTION 3. This Act takes effect September 1, 2015.