

BILL ANALYSIS

S.B. 1203
By: Perry
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that requirements regarding an Internet service provider's response to a subpoena, search warrant, or other court order in connection with an investigation or prosecution of certain crimes are too narrow in scope, as the requirements do not apply to other similar entities that may have access to relevant information. S.B. 1203 seeks to address this issue by expanding the entities subject to these requirements.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1203 amends the Code of Criminal Procedure to include among the entities to which statutory provisions governing the response by an Internet service provider to a subpoena, search warrant, or other court order relating to the investigation or prosecution of an online solicitation of a minor offense apply a search engine, web hosting company, web browsing company, manufacturer of devices providing online application platforms, and company providing online social media platforms. The bill includes among the subpoenas, search warrants, or other court orders to which those provisions apply such an order relating to the investigation or prosecution of certain sexual offenses, a trafficking of persons offense, or public indecency offenses that is served on or issued with respect to such an online service provider that provides service in Texas.

EFFECTIVE DATE

September 1, 2017.