

BILL ANALYSIS

C.S.H.B. 444
By: Meyer
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There have been calls to further discourage the misuse of official information by public servants for personal financial gain. C.S.H.B. 444 seeks to accomplish this goal by increasing the criminal penalties for these types of offenses based on the amount of personal financial gain that results from the commission of the offense.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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

C.S.H.B. 444 amends the Penal Code to establish penalties, including enhanced penalties, for the offense of misuse of official information by a public servant that results in a net pecuniary gain to the person committing the offense, ranging from a third degree felony to a first degree felony depending on the amount of the net pecuniary gain. The bill increases from a Class C misdemeanor to a third degree felony the penalty for the offense of misuse of official information by a public servant, including a school administrator, involving coercion of another into suppressing or failing to report that information to a law enforcement agency.

C.S.H.B. 444 repeals Section 39.06(f), Penal Code.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 444 differs from the original only by amending the caption to specify that the bill relates to increasing criminal penalties.