By:  Campos (Senate Sponsor - Bettencourt) H.B. No. 1427

(In the Senate - Received from the House May 3, 2023; May 5, 2023, read first time and referred to Committee on Criminal Justice; May 17, 2023, reported favorably by the following vote: Yeas 7, Nays 0; May 17, 2023, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Whitmire        X

Flores          X

Bettencourt     X

Hinojosa        X

Huffman         X

King            X

Miles           X

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of harassment.

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

SECTION 1.  Section 42.07(a), Penal Code, is amended to read as follows:

(a)  A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:

(1)  initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;

(2)  threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;

(3)  conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;

(4)  causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;

(5)  makes a telephone call and intentionally fails to hang up or disengage the connection;

(6)  knowingly permits a telephone under the person's control to be used by another to commit an offense under this section;

(7)  sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; [~~or~~]

(8)  publishes on an Internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern; or

(9)  makes obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an Internet application or other technological means.

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

SECTION 3.  This Act takes effect September 1, 2023.

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