

BILL ANALYSIS

S.B. 1820
By: Huffman
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A person commits an offense if the person knowingly purports to exercise any function of a public servant or of a public office and the position or office has no lawful existence under the constitution or laws of Texas or of the United States. S.B. 1820 revises the conduct constituting that offense by removing the condition about the lack of lawful existence of the position or office and by conditioning the offense instead on the person purporting to exercise the function without legal authority.

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. 1820 amends the Penal Code to revise the conduct constituting the offense of impersonating a public servant that involves knowingly purporting to exercise any function of a public servant or of a public office, including that of a judge and court, by removing the condition that the position or office has no lawful existence under the constitution or laws of Texas or of the United States and adding the condition that the person purports to exercise the function without legal authority.

EFFECTIVE DATE

September 1, 2019.