

BILL ANALYSIS

Senate Research Center

S.B. 962
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Criminal Justice
4/23/1999
Committee Report (Amended)

DIGEST

Currently, the Penal Code defines stalking as communications made in person, in writing, or by telephone. The code, however, does not include communications made electronically, such as by Internet electronic mail. S.B.962 would add electronic communication to the methods of communicating in a harassment offense.

PURPOSE

As proposed, S.B. 962 adds electronic communication to the methods of communicating in a harassment offense.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.07, Chapter 42, Penal Code, by amending Subsections (a)-(c), to provide that a person commits an offense if, with intent to harass, the person initiates communication or threatens by electronic communication, or knowingly sends repeated electronic communications either signed or anonymously, or in a manner reasonably likely to harass or offend another. Redefines "family." Provides that the offense is a Class A misdemeanor if the person has previously been convicted under this section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

relating clause.

Changes the offense a defendant may commit from stalking to harassment.

SECTION 1.

Amends Section 42.07(a), Penal Code, to provide that a person commits the offense of harassment if the person sends certain electronic communication knowingly.