

BILL ANALYSIS

S.B. 923
By: Watson
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that current law does not expressly prohibit the act commonly referred to as "doxing," which involves posting the personal information of individuals online with malicious intent. The parties assert that individuals often target law enforcement officers and their family members in retaliation against an officer performing the officer's sanctioned duties. S.B. 923 seeks to provide more adequate protections for public servants and their family members by revising provisions relating to the offense of obstruction or retaliation.

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

S.B. 923 amends the Penal Code to expand the conduct that constitutes an offense of retaliation to include posting on a publicly accessible website the residence address or telephone number of an individual the actor knows is a public servant or a member of a public servant's family or household with the intent to cause harm or a threat of harm to the individual or a member of the individual's family or household in retaliation for or on account of the service or status of the individual as a public servant. The bill enhances the penalty for such conduct from a third degree felony to a second degree felony if the conduct results in the bodily injury of a public servant or a member of a public servant's family or household. The bill establishes that it is prima facie evidence of the intent to cause harm or a threat of harm to an individual the person knows is a public servant or a member of a public servant's family or household if the actor receives a written demand from the individual to not disclose the address or telephone number for reasons of safety and either fails to remove the address or telephone number from the publicly accessible website within a period of 48 hours after receiving the demand or reposts the address or telephone number on the same or a different publicly accessible website, or makes the information publicly available through another medium, within a period of four years after receiving the demand, regardless of whether the individual is no longer a public servant.

S.B. 923 amends the Code of Criminal Procedure to make a conforming change.

EFFECTIVE DATE

September 1, 2015.