

By: Hull

H.B. No. 1160

A BILL TO BE ENTITLED

1 AN ACT
2 relating to increasing the criminal penalty for the offense of
3 assault committed against certain employees or agents of a utility
4 and to the prosecution of the criminal offense of interference with
5 public duties of those employees or agents.

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

7 SECTION 1. Section 22.01(b), Penal Code, is amended to read
8 as follows:

9 (b) An offense under Subsection (a)(1) is a Class A
10 misdemeanor, except that the offense is a felony of the third degree
11 if the offense is committed against:

12 (1) a person the actor knows is a public servant while
13 the public servant is lawfully discharging an official duty, or in
14 retaliation or on account of an exercise of official power or
15 performance of an official duty as a public servant;

16 (2) a person whose relationship to or association with
17 the defendant is described by Section 71.0021(b), 71.003, or
18 71.005, Family Code, if:

19 (A) it is shown on the trial of the offense that
20 the defendant has been previously convicted of an offense that was
21 committed:

22 (i) against a person whose relationship to
23 or association with the defendant is described by Section
24 71.0021(b), 71.003, or 71.005, Family Code; and

1 (ii) under:

2 (a) this chapter, Chapter 19, or
3 Section 20.03, 20.04, 21.11, or 25.11;

4 (b) Section 25.07, if the applicable
5 violation was based on the commission of family violence as
6 described by Subsection (a)(1) of that section; or

7 (c) Section 25.072, if any of the
8 applicable violations were based on the commission of family
9 violence as described by Section 25.07(a)(1); or

10 (B) the offense is committed by intentionally,
11 knowingly, or recklessly impeding the normal breathing or
12 circulation of the blood of the person by applying pressure to the
13 person's throat or neck or by blocking the person's nose or mouth;

14 (3) a person who contracts with government to perform
15 a service in a facility described by Section 1.07(a)(14), Penal
16 Code, or Section 51.02(13) or (14), Family Code, or an employee of
17 that person:

18 (A) while the person or employee is engaged in
19 performing a service within the scope of the contract, if the actor
20 knows the person or employee is authorized by government to provide
21 the service; or

22 (B) in retaliation for or on account of the
23 person's or employee's performance of a service within the scope of
24 the contract;

25 (4) a person the actor knows is a security officer
26 while the officer is performing a duty as a security officer;

27 (5) a person the actor knows is emergency services

1 personnel while the person is providing emergency services;

2 (6) a person the actor knows is a process server while
3 the person is performing a duty as a process server;

4 (7) a pregnant individual to force the individual to
5 have an abortion;

6 (8) a person the actor knows is pregnant at the time of
7 the offense; ~~or~~

8 (9) a person the actor knows is hospital personnel
9 while the person is located on hospital property, including all
10 land and buildings owned or leased by the hospital; or

11 (10) a person the actor knows is an employee or agent
12 of a utility while the person is performing a duty within the scope
13 of that employment or agency.

14 SECTION 2. Section 22.01(e), Penal Code, is amended by
15 adding Subdivision (5) to read as follows:

16 (5) "Utility" means:

17 (A) an electric utility, as defined by Section
18 31.002, Utilities Code;

19 (B) a telecommunications provider, as defined by
20 Section 51.002, Utilities Code;

21 (C) a video service provider or cable service
22 provider, as defined by Section 66.002, Utilities Code;

23 (D) a gas utility, as defined by Section 101.003,
24 Utilities Code, which for the purposes of this subsection includes
25 a municipally owned utility as defined by that section;

26 (E) a gas utility, as defined by Section 121.001,
27 Utilities Code;

1 (F) a pipeline used for the transportation or
2 sale of oil, gas, or related products; or

3 (G) an electric cooperative or municipally owned
4 utility, as defined by Section 11.003, Utilities Code.

5 SECTION 3. Sections 38.15(a) and (e), Penal Code, are
6 amended to read as follows:

7 (a) A person commits an offense if the person with criminal
8 negligence interrupts, disrupts, impedes, or otherwise interferes
9 with:

10 (1) a peace officer while the peace officer is
11 performing a duty or exercising authority imposed or granted by
12 law;

13 (2) a person who is employed to provide emergency
14 medical services including the transportation of ill or injured
15 persons while the person is performing that duty;

16 (3) a fire fighter, while the fire fighter is fighting
17 a fire or investigating the cause of a fire;

18 (4) an animal under the supervision of a peace
19 officer, corrections officer, or jailer, if the person knows the
20 animal is being used for law enforcement, corrections, prison or
21 jail security, or investigative purposes;

22 (5) the transmission of a communication over a
23 citizen's band radio channel, the purpose of which communication is
24 to inform or inquire about an emergency;

25 (6) an officer with responsibility for animal control
26 in a county or municipality, while the officer is performing a duty
27 or exercising authority imposed or granted under Chapter 821 or

1 [822](#), Health and Safety Code; [~~or~~]

2 (7) a person who:

3 (A) has responsibility for assessing, enacting,
4 or enforcing public health, environmental, radiation, or safety
5 measures for the state or a county or municipality;

6 (B) is investigating a particular site as part of
7 the person's responsibilities under Paragraph (A);

8 (C) is acting in accordance with policies and
9 procedures related to the safety and security of the site described
10 by Paragraph (B); and

11 (D) is performing a duty or exercising authority
12 imposed or granted under the Agriculture Code, Health and Safety
13 Code, Occupations Code, or Water Code; or

14 (8) a person who is an employee or agent of a utility
15 while the person is performing a duty within the scope of that
16 employment or agency.

17 (e) In this section:

18 (1) "Emergency" [~~,"emergency"~~] means a condition or
19 circumstance in which an individual is or is reasonably believed by
20 the person transmitting the communication to be in imminent danger
21 of serious bodily injury or in which property is or is reasonably
22 believed by the person transmitting the communication to be in
23 imminent danger of damage or destruction.

24 (2) "Utility" means:

25 (A) an electric utility, as defined by Section
26 [31.002](#), Utilities Code;

27 (B) a telecommunications provider, as defined by

1 Section 51.002, Utilities Code;

2 (C) a video service provider or cable service
3 provider, as defined by Section 66.002, Utilities Code;

4 (D) a gas utility, as defined by Section 101.003,
5 Utilities Code, which for the purposes of this subsection includes
6 a municipally owned utility as defined by that section;

7 (E) a gas utility, as defined by Section 121.001,
8 Utilities Code;

9 (F) a pipeline used for the transportation or
10 sale of oil, gas, or related products; or

11 (G) an electric cooperative or municipally owned
12 utility, as defined by Section 11.003, Utilities Code.

13 SECTION 4. The change in law made by this Act applies only
14 to an offense committed on or after the effective date of this Act.
15 An offense committed before the effective date of this Act is
16 governed by the law in effect on the date the offense was committed,
17 and the former law is continued in effect for that purpose.

18 SECTION 5. This Act takes effect September 1, 2025.