

BILL ANALYSIS

Senate Research Center
78R3806 GWK-D

H.B. 616
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Criminal Justice
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Engrossed

DIGEST AND PURPOSE

Currently, terroristic threat is categorized as a misdemeanor, unless the threat is made with intent to impair or interrupt public utilities or public transportation, in which event it is a felony of the third degree. In situations where terroristic threat is made with intent to interrupt the occupation or use of a building, church, or transportation conveyance, the punishment is a Class A misdemeanor, no matter the economic loss to the victim. In some situations, a bomb threat to a business can cause the evacuation and abandonment of a building for several hours, and in such case the economic loss to the business can total into the tens of thousands of dollars. H.B. 616 attaches a monetary measure to the crime, so that where the victim's losses total more than \$1,500.00, the offense is classified as a state jail felony.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.07, Penal Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Provides that an offense under Subdivision (3) of Subsection (a) is a class A misdemeanor, unless the actor causes pecuniary loss of \$1,500 or more to the owner of the building, room, place, or conveyance, in which event the offense is a state jail felony.

(c) Provides that the amount of pecuniary loss under Subsection (b) is the amount of economic loss suffered by the owner of the building, room, place, or conveyance as a result of the prevention or interruption of the occupation or use of the building, room, place, or conveyance.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2003.