

## **BILL ANALYSIS**

H.B. 1767  
By: Pena  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, penalties for criminal mischief vary by the pecuniary loss suffered. Vandalism and other acts of criminal mischief inflicted upon communications equipment, such as traffic signals, have increased as the value of the wires and cables in those devices has increased. These acts of criminal mischief pose a threat to public safety. H.B. 1767 makes any act of criminal mischief on communications equipment or communications devices with a pecuniary loss of less than \$100,000 a third degree felony.

### **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**

House Bill 1767 amends Section 28.03(g), Penal Code, to provide definitions of "aluminum wiring," "bronze wiring," "copper wiring," "transportation communications equipment," and "transportation communications device."

The bill adds Section 28.03(j), Penal Code, to make the offense of criminal mischief a third degree felony if the tangible property damaged, destroyed, or tampered with is either a transportation communications equipment or a transportation communications device and the amount of the pecuniary loss to the tangible property is less than \$100,000.

Makes application of this Act prospective.

### **EFFECTIVE DATE**

September 1, 2007.