

BILL ANALYSIS

H.B. 1614
By: Brown, Betty
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law strictly interprets the penalty for convicted criminal mischief offenders, and does not consider the resulting or potential damages of the offense.

There have been several instances in Texas and across the country in which the theft of certain items, such as copper wiring from telephone poles, endangered thousands of lives and required the spending of taxpayer dollars to remedy the situation. Such acts can create major safety concerns for areas that lose power, and can have a devastating economic impact on businesses.

H.B. 1614 makes an offense of criminal mischief a state jail felony if the crime impairs or interrupts a public service, such as public transportation, a public gas supply, a public power supply, or public communications.

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

H.B. 1614 amends the Penal Code to increase from a Class A misdemeanor to a state jail felony the penalty for a criminal mischief offense against a person who causes less than \$20,000 and causes wholly or partly impairment or interruption of public communications, public transportation, public gas or power supply, or other public service, or causes to be diverted in whole, in part, or in any manner, including installation or removal of any device for any such purpose, any public communications or public gas or power supply, rather than less than \$1,500 in pecuniary loss and causes the same impairment or interruption of services.

EFFECTIVE DATE

September 1, 2009.