

## **BILL ANALYSIS**

C.S.H.B. 3563  
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Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the lack of a deterrent for parolees or individuals released to mandatory supervision to tamper with electronic monitoring devices, which provide location notification to law enforcement. C.S.H.B. 3563 seeks to address these concerns by creating an offense for tampering with an electronic monitoring device.

### **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**

C.S.H.B. 3563 amends the Penal Code to create the Class B misdemeanor offense of tampering with an electronic monitoring device for a person, other than a person who is civilly committed as a sexually violent predator, who is required to submit to electronic monitoring of the person's location as a condition of release on parole or to mandatory supervision and knowingly removes or disables a tracking device that the person is required to wear to enable the monitoring. The bill enhances the penalty for the offense to a Class A misdemeanor if the person is required as a condition of such release to report to a parole officer and, after removing or disabling the tracking device, knowingly fails to report as required on two consecutive occasions.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3563 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute clarifies that the offense does not apply to a person who is civilly committed as a sexually violent predator.