86R15852 MAW-D

By:  Farrar H.B. No. 3563

A BILL TO BE ENTITLED

AN ACT

relating to creating the criminal offense of tampering with an electronic monitoring device.

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

SECTION 1.  Chapter 38, Penal Code, is amended by adding Section 38.112 to read as follows:

Sec. 38.112.  TAMPERING WITH ELECTRONIC MONITORING DEVICE. (a) A person, other than a person who is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, commits an offense if the person 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 electronic monitoring of the person's location.

(b)  An offense under this section is a Class B misdemeanor except that the offense is a Class A misdemeanor if the person:

(1)  is required as a condition of release on parole or to mandatory supervision to report to a parole officer as defined by Section 508.001, Government Code; and

(2)  after removing or disabling the tracking device, knowingly fails to report as required on two consecutive occasions.

SECTION 2.  This Act takes effect September 1, 2019.