

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.