

By: Farrar

H.B. No. 3563

Substitute the following for H.B. No. 3563:

By: Allen

C.S.H.B. No. 3563

A BILL TO BE ENTITLED

1

AN ACT

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

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

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

7 Sec. 38.112. TAMPERING WITH ELECTRONIC MONITORING DEVICE.

8 (a) A person, other than a person who is civilly committed as a
9 sexually violent predator under Chapter 841, Health and Safety
10 Code, commits an offense if the person is required to submit to
11 electronic monitoring of the person's location as a condition of
12 release on parole or to mandatory supervision and knowingly removes
13 or disables a tracking device that the person is required to wear to
14 enable the electronic monitoring of the person's location.

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

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

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

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