

By: Klick

H.B. No. 9

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the criminal punishment and conditions of community
3 supervision for the offense of obstructing a highway or other
4 passageway; increasing a criminal penalty.

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

6 SECTION 1. Subchapter K, Chapter 42A, Code of Criminal
7 Procedure, is amended by adding Article 42A.517 to read as follows:

8 Art. 42A.517. COMMUNITY SUPERVISION FOR CERTAIN OFFENSES
9 INVOLVING OBSTRUCTION OF HIGHWAY OR OTHER PASSAGEWAY. A court
10 granting community supervision to a defendant convicted of an
11 offense punishable as a state jail felony under Section 42.03,
12 Penal Code, shall require as a condition of community supervision
13 that the defendant submit to not less than 10 days of confinement in
14 a county jail.

15 SECTION 2. Section 42.03(c), Penal Code, is amended to read
16 as follows:

17 (c) An offense under this section is a Class B misdemeanor,
18 except that the offense is a state jail felony if, in committing the
19 offense, the actor knowingly:

20 (1) prevents the passage of an authorized emergency
21 vehicle, as defined by Section 541.201, Transportation Code, that
22 is operating the vehicle's emergency audible or visual signals; or

23 (2) obstructs access to a hospital licensed under
24 Chapter 241, Health and Safety Code, or other health care facility

1 that provides emergency medical care, as defined by Section
2 773.003, Health and Safety Code.

3 SECTION 3. The changes in law made by this Act apply only to
4 an offense committed on or after the effective date of this Act. An
5 offense committed before the effective date of this Act is governed
6 by the law in effect when the offense was committed, and the former
7 law is continued in effect for that purpose. For purposes of this
8 section, an offense was committed before the effective date of this
9 Act if any element of the offense occurred before that date.

10 SECTION 4. This Act takes effect September 1, 2021.