

1-1 By: Shine, González of Dallas H.B. No. 624
 1-2 (Senate Sponsor - Campbell)
 1-3 (In the Senate - Received from the House May 3, 2021;
 1-4 May 10, 2021, read first time and referred to Committee on Criminal
 1-5 Justice; May 22, 2021, reported favorably by the following vote:
 1-6 Yeas 7, Nays 0; May 22, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to increasing the criminal penalty for certain offenses
 1-19 committed in retaliation for or on account of a person's service or
 1-20 status as a public servant.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter D, Chapter 12, Penal Code, is amended
 1-23 by adding Section 12.501 to read as follows:

1-24 Sec. 12.501. PENALTY FOR CERTAIN OFFENSES COMMITTED IN
 1-25 RETALIATION FOR OR ON ACCOUNT OF PERSON'S SERVICE OR STATUS AS
 1-26 PUBLIC SERVANT. (a) In this section, "public servant" has the
 1-27 meaning assigned by Section 36.06.

1-28 (b) Subject to Subsection (d), the punishment for an offense
 1-29 described by Subsection (c) is increased to the punishment
 1-30 prescribed for the next higher category of offense if it is shown on
 1-31 the trial of the offense that:

1-32 (1) the offense:

1-33 (A) was committed against a person the actor
 1-34 knows is a public servant or a member of a public servant's family
 1-35 or household; or

1-36 (B) involves property that the actor knows
 1-37 belongs to, is under the control of, or is lawfully possessed by a
 1-38 public servant; and

1-39 (2) the offense was committed in retaliation for or on
 1-40 account of the service or status of the person as a public servant.

1-41 (c) The increase in punishment authorized by this section
 1-42 applies only to:

1-43 (1) an offense under Section 21.16, 21.18, 21.19,
 1-44 22.011, 28.02, 28.03, 30.05, 33.02, 42.07, or 42.072; or

1-45 (2) an offense under Section 32.51, other than an
 1-46 offense punishable under Subsection (c-1) of that section.

1-47 (d) If an offense described by Subsection (c) is punishable
 1-48 as a Class A misdemeanor, the minimum term of confinement for the
 1-49 offense is increased to 180 days. If an offense described by
 1-50 Subsection (c) is punishable as a felony of the first degree, the
 1-51 punishment for that offense may not be increased under this
 1-52 section.

1-53 (e) For purposes of this section, "member of a public
 1-54 servant's family" means a person related to the public servant
 1-55 within the second degree of consanguinity.

1-56 SECTION 2. The change in law made by this Act applies only
 1-57 to an offense committed on or after the effective date of this Act.
 1-58 An offense committed before the effective date of this Act is
 1-59 governed by the law in effect on the date the offense was committed,
 1-60 and the former law is continued in effect for that purpose. For
 1-61 purposes of this section, an offense was committed before the

2-1 effective date of this Act if any element of the offense occurred
2-2 before that date.

2-3 SECTION 3. This Act takes effect September 1, 2021.

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