

By: Price

H.B. No. 1265

A BILL TO BE ENTITLED

AN ACT

relating to creating the criminal offense of obstructing or interfering with a first responder or an emergency vehicle.

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

SECTION 1. Chapter 42, Penal Code, is amended by adding Section 42.063 to read as follows:

Sec. 42.063. OBSTRUCTING OR INTERFERING WITH FIRST RESPONDER OR EMERGENCY VEHICLE. (a) In this section:

(1) "Authorized emergency vehicle" has the meaning assigned by Section 541.201, Transportation Code.

(2) "First responder" has the meaning assigned by Section 421.095, Government Code.

(b) A person commits an offense if the person recklessly obstructs or interferes with:

(1) a first responder's ability to render aid at the scene of an emergency to a person who is suffering serious bodily injury; or

(2) the passage of an authorized emergency vehicle that is operating the vehicle's siren or emergency lighting system to or from the scene of an emergency where a person is suffering serious bodily injury.

(c) An offense under this section is a state jail felony, except that the offense is a third degree felony if it is shown on the trial of the offense that a person suffers death as a result of

1 the offense.

2 (d) For purposes of Subsection (b)(1), the actor is presumed
3 to have known a person is a first responder if the person was
4 wearing a distinctive uniform or badge indicating the person's
5 employment or duties as a first responder.

6 (e) If conduct constituting an offense under this section
7 also constitutes an offense under another section of this code, the
8 actor may be prosecuted under either section or both sections.

9 SECTION 2. This Act takes effect September 1, 2021.