

By: Huffman

S.B. No. 1004

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 who is required to submit to electronic monitoring of the person's location as part of an electronic monitoring program under Article 42.035, Code of Criminal Procedure, or as a condition of community supervision, parole, mandatory supervision, or release on bail commits an offense if the person 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 state jail felony, except that the offense is a felony of the third degree if the person is in the super-intensive supervision program described by Section 508.317(d), Government Code.

SECTION 2. This Act takes effect September 1, 2023.