

BILL ANALYSIS

Senate Research Center
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H.B. 3425
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Internet crime is a growing problem in today's technology-focused world, with threats such as "doxing," whereby a person gathers another individual's personal information and posts it publicly without permission, creating distress or physical harm to victims everyday. The 88th Texas Legislature enacted H.B. 611 to make disclosure of a residence address or phone number on a website, with intent to harm, a state offense. Doxing, however, can happen not just in postings on a website but also through electronic messaging, which is not addressed in current statute.

H.B. 3425 would close this gap in current law by making conforming changes throughout the Penal Code to establish that a person who disclosed through an electronic communication the residence address or telephone number of a person with the intent to cause harm or a threat of harm to the person or a member of their family, committed an offense and that the posting of such information on a publicly accessible website qualifies as prima facie evidence of the offense.

H.B. 3425 amends current law relating to the prosecution of certain criminal offenses involving the unlawful disclosure of a residence address or telephone number.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 36.06(a-1) and (d), Penal Code, as follows:

(a-1) Provides that a person commits an offense if the person posts on a publicly accessible website or discloses through an electronic communication the residence address or telephone number of an individual the actor knows is a public servant or a member of a public servant's family or household with the intent to cause harm or a threat of harm to the individual or a member of the individual's family or household in retaliation for or on account of the service or status of the individual as a public servant.

(d) Provides that, for purposes of an offense under Subsection (a-1) involving the posting of a residence address or telephone number on a publicly accessible website, it is prima facie evidence of the intent to cause harm or a threat of harm to an individual the person knows is a public servant or a member of a public servant's family or household if the actor performs certain actions.

SECTION 2. Amends Section 36.06(b), Penal Code, by amending Subdivision (1) and adding Subdivision (1-a), to define "electronic communication."

SECTION 3. Amends Section 42.074, Penal Code, by amending Subsections (a), (b), and (c) and adding Subsection (e), as follows:

(a)-(c) Makes conforming changes to these subsections.

(e) Defines "electronic communication."

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2025.