

BILL ANALYSIS

Senate Research Center
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S.B. 988
By: Bettencourt
Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since the fall of 2021, organized criminal groups have learned how to disrupt fuel dispenser pulsers in North Texas gas pumps. The pulser controls communication between the gas pump and the terminal, which regulates the fuel flow at the pump. Criminals are breaking into gas pumps and damaging the pulser to gain unlimited access to fuel, causing substantial financial loss. Typically, the suspect will disrupt the pulser, and other suspects pump the stolen fuel into large auxiliary tanks. The pulser itself costs a few hundred dollars to replace or repair. Hence police officers who have caught suspects damaging it are only able to charge them with misdemeanor criminal mischief.

S.B. 988 would amend the criminal mischief statute to clearly provide that damage to, or destruction of, a retail motor fuel pump is a third-degree felony. By increasing the penalty for damaging or destroying a motor fuel pump, law enforcement and prosecutors will have another tool and deterrent to reduce fuel theft.

As proposed, S.B. 988 amends current law relating to increasing the criminal penalty for the offense of criminal mischief involving impairment of a motor fuel pump.

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 Section 28.03(b), Penal Code, to provide that, except as provided by certain subsections, an offense under Section 28.03 (Criminal Mischief) is a certain misdemeanor or felony, including a felony of the third degree if certain conditions are met, including if the actor causes wholly or partly impairment or disruption to a retail motor fuel pump, regardless of the amount of pecuniary loss. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.