

BILL ANALYSIS

S.B. 1021
By: Huffman
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that stalking is a serious offense that can often escalate into more violent behavior and have long-lasting psychological impact on victims. However, under current state law, defendants adjudged guilty of stalking may be eligible for judge-ordered community supervision, which can leave victims vulnerable to continued threats and intimidation. S.B. 1021 seeks to prioritize victim safety by making defendants adjudged guilty of stalking ineligible for judge-ordered community supervision.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1021 amends the Code of Criminal Procedure to make a defendant adjudged guilty of stalking ineligible for judge-ordered community supervision.

S.B. 1021 amends the Penal Code to expand the conduct that constitutes the offense of improper contact with a victim to include a person who, while confined in a correctional facility after being charged with or convicted of stalking, contacts by letter, telephone, or by any other means, either directly or through a third party, a victim of the offense or a member of the victim's family, if the director of the correctional facility has not, before the person makes contact with the victim:

- received written and dated consent to the contact from:
 - the victim, if the victim was 17 years of age or older at the time of the commission of the offense for which the person is confined; or
 - if the victim was younger than 17 years of age at the time of the commission of the offense for which the person is confined:
 - a parent of the victim;
 - a legal guardian of the victim;
 - the victim, if the victim is 17 years of age or older at the time of giving the consent; or
 - a member of the victim's family who is 17 years of age or older; and
- provided the person with a copy of the consent.

S.B. 1021 amends the Health and Safety Code to make conforming changes.

S.B. 1021 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

EFFECTIVE DATE

September 1, 2025.