

By: Landgraf

H.B. No. 268

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to increasing the criminal penalty for making certain  
3 false reports and to restitution for emergency response costs  
4 associated with those false reports.

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

6 SECTION 1. Article 42.037(w), Code of Criminal Procedure,  
7 is amended to read as follows:

8 (w) If a defendant is convicted of an offense under Section  
9 42.0601, Penal Code, or an offense punishable under Section  
10 42.06(b)(2), Penal Code, the court may order the defendant to make  
11 restitution to an entity for the reasonable costs of the emergency  
12 response by that entity resulting from the false report.

13 SECTION 2. Section 42.06(b), Penal Code, is amended to read  
14 as follows:

15 (b) An offense under this section is a Class A misdemeanor,  
16 except that the offense is:

17 (1) a state jail felony if [unless] the false report is  
18 of an emergency involving [a public or private institution of  
19 higher education or involving a public primary or secondary  
20 school,] public communications, public transportation, public  
21 water, gas, or power supply or other public service; or

22 (2) a felony of the third degree if the false report is  
23 of an emergency involving:

24 (A) a public or private institution of higher

1 education; or

2 (B) a public or private primary or secondary  
3 school [~~in which event the offense is a state jail felony~~].

4 SECTION 3. The change in law made by this Act applies only  
5 to an offense committed on or after the effective date of this Act.  
6 An offense committed before the effective date of this Act is  
7 governed by the law in effect on the date the offense was committed,  
8 and the former law is continued in effect for that purpose. For  
9 purposes of this section, an offense was committed before the  
10 effective date of this Act if any element of the offense was  
11 committed before that date.

12 SECTION 4. This Act takes effect September 1, 2025.