

By: Hull, Harless, Perez of Harris, DeAyala, Hernandez, et al.

H.B. No. 1160

A BILL TO BE ENTITLED

1 AN ACT

2 relating to increasing the criminal penalties for the offenses of
3 assault and harassment committed against certain employees or
4 agents of a utility and to the prosecution of the criminal offense
5 of interference with public duties of those employees or agents;
6 increasing criminal penalties for certain criminal offenses
7 relating to interference with public duties.

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

9 SECTION 1. Section 12.50(b), Penal Code, is amended to read
10 as follows:

13 (1) Section 20.05;
14 (2) Section 20.06;
15 (3) Section 20.07;
16 (4) Section 22.01;
17 (5) Section 28.02;
18 (6) Section 29.02;
19 (7) Section 30.02;
20 (8) Section 30.03;
21 (9) Section 30.04;
22 (10) Section 30.05; [and]
23 (11) Section 31.03; and
24 (12) Section 38.15.

1 SECTION 2. Sections [22.01](#)(b) and (d), Penal Code, are
2 amended to read as follows:

3 (b) An offense under Subsection (a)(1) is a Class A
4 misdemeanor, except that the offense is a felony of the third degree
5 if the offense is committed against:

6 (1) a person the actor knows is a public servant while
7 the public servant is lawfully discharging an official duty, or in
8 retaliation or on account of an exercise of official power or
9 performance of an official duty as a public servant;

10 (2) a person whose relationship to or association with
11 the defendant is described by Section [71.0021](#)(b), [71.003](#), or
12 [71.005](#), Family Code, if:

13 (A) it is shown on the trial of the offense that
14 the defendant has been previously convicted of an offense that was
15 committed:

16 (i) against a person whose relationship to
17 or association with the defendant is described by Section
18 [71.0021](#)(b), [71.003](#), or [71.005](#), Family Code; and

19 (ii) under:

20 (a) this chapter, Chapter 19, or
21 Section 20.03, 20.04, 21.11, or 25.11;

22 (b) Section [25.07](#), if the applicable
23 violation was based on the commission of family violence as
24 described by Subsection (a)(1) of that section; or

25 (c) Section [25.072](#), if any of the
26 applicable violations were based on the commission of family
27 violence as described by Section [25.07](#)(a)(1); or

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1 (B) the offense is committed by intentionally,
2 knowingly, or recklessly impeding the normal breathing or
3 circulation of the blood of the person by applying pressure to the
4 person's throat or neck or by blocking the person's nose or mouth;

9 (A) while the person or employee is engaged in
10 performing a service within the scope of the contract, if the actor
11 knows the person or employee is authorized by government to provide
12 the service; or

13 (B) in retaliation for or on account of the
14 person's or employee's performance of a service within the scope of
15 the contract;

16 (4) a person the actor knows is a security officer
17 while the officer is performing a duty as a security officer;

18 (5) a person the actor knows is emergency services
19 personnel while the person is providing emergency services;

20 (6) a person the actor knows is a process server while
21 the person is performing a duty as a process server;

22 (7) a pregnant individual to force the individual to
23 have an abortion;

24 (8) a person the actor knows is pregnant at the time of
25 the offense; [ex]

26 (9) a person the actor knows is hospital personnel
27 while the person is located on hospital property, including all

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1 land and buildings owned or leased by the hospital; or
2 (10) a person the actor knows is an employee or agent
3 of a utility while the person is performing a duty within the scope
4 of that employment or agency.

12 SECTION 3. Section 22.01(e), Penal Code, is amended by
13 adding Subdivision (5) to read as follows:

14 (5) "Utility" means:

21 (D) a gas utility, as defined by Section 101.003,
22 Utilities Code, which for the purposes of this subsection includes
23 a municipally owned utility as defined by that section;

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7 SECTION 4. Sections 38.15(a) and (e), Penal Code, are
8 amended to read as follows:

9 (a) A person commits an offense if the person with criminal
10 negligence interrupts, disrupts, impedes, or otherwise interferes
11 with:

12 (1) a peace officer while the peace officer is
13 performing a duty or exercising authority imposed or granted by
14 law:

15 (2) a person who is employed to provide emergency
16 medical services including the transportation of ill or injured
17 persons while the person is performing that duty:

18 (3) a fire fighter, while the fire fighter is fighting
19 a fire or investigating the cause of a fire:

20 (4) an animal under the supervision of a peace
21 officer, corrections officer, or jailer, if the person knows the
22 animal is being used for law enforcement, corrections, prison or
23 jail security, or investigative purposes;

24 (5) the transmission of a communication over a
25 citizen's band radio channel, the purpose of which communication is
26 to inform or inquire about an emergency:

27 (6) an officer with responsibility for animal control

1 in a county or municipality, while the officer is performing a duty
2 or exercising authority imposed or granted under Chapter 821 or
3 822, Health and Safety Code; [~~or~~]

4 (7) a person who:

5 (A) has responsibility for assessing, enacting,
6 or enforcing public health, environmental, radiation, or safety
7 measures for the state or a county or municipality;

8 (B) is investigating a particular site as part of
9 the person's responsibilities under Paragraph (A);

10 (C) is acting in accordance with policies and
11 procedures related to the safety and security of the site described
12 by Paragraph (B); and

13 (D) is performing a duty or exercising authority
14 imposed or granted under the Agriculture Code, Health and Safety
15 Code, Occupations Code, or Water Code; or

16 (8) a person who is an employee or agent of a utility
17 while the person is performing a duty within the scope of that
18 employment or agency.

19 (e) In this section:

20 (1) "Emergency" [~~, "emergency"~~] means a condition or
21 circumstance in which an individual is or is reasonably believed by
22 the person transmitting the communication to be in imminent danger
23 of serious bodily injury or in which property is or is reasonably
24 believed by the person transmitting the communication to be in
25 imminent danger of damage or destruction.

26 (2) "Utility" means:

27 (A) an electric utility, as defined by Section

1 31.002, Utilities Code;
2 (B) a telecommunications provider, as defined by
3 Section 51.002, Utilities Code;
4 (C) a video service provider or cable service
5 provider, as defined by Section 66.002, Utilities Code;
6 (D) a gas utility, as defined by Section 101.003,
7 Utilities Code, which for the purposes of this subsection includes
8 a municipally owned utility as defined by that section;
9 (E) a gas utility, as defined by Section 121.001,
10 Utilities Code;
11 (F) a pipeline used for the transportation or
12 sale of oil, gas, or related products;
13 (G) an electric cooperative or municipally owned
14 utility, as defined by Section 11.003, Utilities Code;
15 (H) a broadband provider, as defined by Section
16 253.0001, Utilities Code; or
17 (I) a retail water or sewer utility service, as
18 defined by Section 13.002, Water Code.

19 SECTION 5. Section 42.07(b), Penal Code, is amended by
20 adding Subdivision (4) to read as follows:

21 (4) "Utility" has the meaning assigned by Section
22 22.01(e).

23 SECTION 6. Section 42.07(c), Penal Code, is amended to read
24 as follows:

25 (c) An offense under this section is a Class B misdemeanor,
26 except that the offense is a Class A misdemeanor if:

27 (1) the actor has previously been convicted under this

1 section; ~~[or]~~

2 (2) the offense was committed under Subsection (a)(7)
3 or (8) and:

4 (A) the offense was committed against a child
5 under 18 years of age with the intent that the child:

6 (i) commit suicide; or

7 (ii) engage in conduct causing serious
8 bodily injury to the child; or

9 (B) the actor has previously violated a temporary
10 restraining order or injunction issued under Chapter [129A](#), Civil
11 Practice and Remedies Code; or

12 (3) the offense was committed against a person the
13 actor knows or reasonably should know is an employee or agent of a
14 utility while the person is performing a duty within the scope of
15 that employment or agency.

16 SECTION 7. The change in law made by this Act applies only
17 to an offense committed on or after the effective date of this Act.
18 An offense committed before the effective date of this Act is
19 governed by the law in effect on the date the offense was committed,
20 and the former law is continued in effect for that purpose.

21 SECTION 8. This Act takes effect September 1, 2025.