

1-1 By: Bettencourt S.B. No. 988
1-2 (In the Senate - Filed January 29, 2025; February 13, 2025,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 March 19, 2025, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; March 19, 2025, sent to printer.)

1-6	COMMITTEE VOTE			
1-7		Yea	Nay	Absent
1-8	Flores	X		PNV
1-9	Parker	X		
1-10	Hagenbuch	X		
1-11	Hinojosa of Hidalgo	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to increasing the criminal penalty for the offense of
1-18 criminal mischief involving impairment of a motor fuel pump.
1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-20 SECTION 1. Section 28.03(b), Penal Code, is amended to read
1-21 as follows:
1-22 (b) Except as provided by Subsections (f) and (h), an
1-23 offense under this section is:
1-24 (1) a Class C misdemeanor if:
1-25 (A) the amount of pecuniary loss is less than
1-26 \$100; or
1-27 (B) except as provided in Subdivision (3)(A) or
1-28 (3)(B), it causes substantial inconvenience to others;
1-29 (2) a Class B misdemeanor if the amount of pecuniary
1-30 loss is \$100 or more but less than \$750;
1-31 (3) a Class A misdemeanor if:
1-32 (A) the amount of pecuniary loss is \$750 or more
1-33 but less than \$2,500; or
1-34 (B) the actor causes in whole or in part
1-35 impairment or interruption of any public water supply, or causes to
1-36 be diverted in whole, in part, or in any manner, including
1-37 installation or removal of any device for any such purpose, any
1-38 public water supply, regardless of the amount of the pecuniary
1-39 loss;
1-40 (4) a state jail felony if the amount of pecuniary loss
1-41 is:
1-42 (A) \$2,500 or more but less than \$30,000;
1-43 (B) less than \$2,500, if the property damaged or
1-44 destroyed is a habitation and if the damage or destruction is caused
1-45 by a firearm or explosive weapon;
1-46 (C) less than \$2,500, if the property was a fence
1-47 used for the production or containment of:
1-48 (i) cattle, bison, horses, sheep, swine,
1-49 goats, exotic livestock, or exotic poultry; or
1-50 (ii) game animals as that term is defined by
1-51 Section 63.001, Parks and Wildlife Code;
1-52 (D) less than \$30,000 and the actor:
1-53 (i) causes wholly or partly impairment or
1-54 interruption of property used for flood control purposes or a dam or
1-55 of public communications, public transportation, public gas
1-56 supply, or other public service; or
1-57 (ii) causes to be diverted wholly, partly,
1-58 or in any manner, including installation or removal of any device
1-59 for any such purpose, any public communications or public gas
1-60 supply; or
1-61 (E) less than \$30,000, if the property is a motor

vehicle that is damaged, destroyed, or tampered with during the removal or attempted removal of a catalytic converter from the motor vehicle;

(5) a felony of the third degree if:

(A) the amount of the pecuniary loss is \$30,000 or more but less than \$150,000;

(B) the actor, by discharging a firearm or other weapon or by any other means, causes the death of one or more head of cattle or bison or one or more horses;

(C) the actor causes wholly or partly impairment or interruption of access to an automated teller machine, regardless of the amount of the pecuniary loss; ~~or~~

(D) the amount of pecuniary loss is less than \$150,000 and the actor:

(i) causes wholly or partly impairment or interruption of property used for public power supply; or

(ii) causes to be diverted wholly, partly, or in any manner, including installation or removal of any device for any such purpose, any public power supply; or

(E) the actor causes wholly or partly impairment or disruption to a retail motor fuel pump, regardless of the amount of pecuniary loss;

(6) a felony of the second degree if the amount of pecuniary loss is \$150,000 or more but less than \$300,000; or

(7) a felony of the first degree if the amount of pecuniary loss is \$300,000 or more.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act 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 purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2025.

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