

By: Hughes

S.B. No. 2876

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty for participating in a riot while wearing a mask or other face covering.

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

SECTION 1. Section 42.02(f), Penal Code, is amended to read as follows:

(f) An offense under this section is:

(1) an offense of the same classification as any offense of a higher grade committed by anyone engaged in the riot if the offense was:

(A) ~~[(1)]~~ in the furtherance of the purpose of the assembly; or

(B) ~~[(2)]~~ an offense which should have been anticipated as a result of the assembly; or

(2) a Class A misdemeanor if it is shown on the trial of the offense that at the time of the offense the actor was wearing a mask or other face covering with the intent to conceal the actor's identity.

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

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1 effective date of this Act if any element of the offense occurred
2 before that date.

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