

## **BILL ANALYSIS**

S.B. 1871  
By: Zaffirini  
Energy Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that the oil and gas industry has become a prime target for criminals and contend that a more specific oil and gas theft statute would provide prosecutors with a better tool to address certain crimes affecting this industry. S.B. 1871 seeks to address this issue by creating the offense of theft of a petroleum product.

### **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. 1871 amends the Penal Code to create the offense of theft of a petroleum product for a person who unlawfully appropriates a petroleum product, defined as crude oil, natural gas, or condensate, with intent to deprive the owner of the petroleum product by possessing, removing, delivering, receiving, purchasing, selling, moving, concealing, or transporting the petroleum product, or by making or causing a connection to be made with, or drilling or tapping or causing a hole to be drilled or tapped in, a pipe, pipeline, or tank used to store or transport a petroleum product. The bill establishes that appropriation of a petroleum product is unlawful if it is without the owner's effective consent. The bill establishes penalties for the offense ranging from a state jail felony to a first degree felony depending on the total value of the petroleum product appropriated.

### **EFFECTIVE DATE**

September 1, 2017.