

BILL ANALYSIS

H.B. 624
By: Shine
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There have been reports of police officers becoming subject to harassment or assault after having their personal information, including their address, disclosed. Not only have police officers been personally targeted, but their families have been as well. Currently, these family members have no legal protection from those who seek to harm them based on their relation to a public servant. H.B. 624 seeks to address this issue by increasing the penalty for certain conduct, including harassment, criminal trespass, and stalking, that was committed against a public servant or a member of their family or household in retaliation for or on account of the person's service or status as a public servant.

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

H.B. 624 amends the Penal Code to increase the penalty for the following offenses to the penalty prescribed for the next higher category of offense if it is shown on trial that the offense was committed against a person the actor knows is a public servant or a member of a public servant's family or household or involves property that the actor knows belongs to, is under the control of, or is lawfully possessed by a public servant and the offense was committed in retaliation for or on account of the person's service or status as a public servant:

- arson;
- criminal mischief;
- criminal trespass;
- breach of computer security;
- harassment;
- stalking; and
- fraudulent use or possession of identifying information, other than an offense for which the penalty is otherwise enhanced.

If such an offense is punishable as a Class A misdemeanor, the minimum term of confinement for the offense is increased to 180 days. If the offense is punishable as a first degree felony, the punishment may not be increased. The bill assigns "public servant" the definition prescribed under provisions related to an offense of obstruction or retaliation against public administration, which includes an honorably retired peace officer.

EFFECTIVE DATE

September 1, 2021.