

BILL ANALYSIS

C.S.H.B. 9
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2020, there were reports of demonstrations taking place across the country, including in Texas, aimed at law enforcement and law enforcement policies. While many demonstrations were peaceful, elements of others were not. For example, in one reported instance, two law enforcement officers had been shot in an unrelated event and access to the hospital was purposely blocked by protestors. It was suggested that when these law enforcement officers were in need of life-saving care, protestors knowingly blocked the hospital entrance to prevent access to that care. Had this occurred in Texas, the individuals could have been charged with obstructing a highway or passageway, which is punishable by a Class B misdemeanor. C.S.H.B. 9 makes the penalty for obstructing a highway or other passageway by knowingly preventing the passage of an authorized emergency vehicle that is operating the vehicle's emergency audible or visual signals or obstructing access to a licensed hospital or other health care facility that provides emergency medical care a state jail felony and sets a minimum county jail confinement period for a person who is convicted of such conduct and granted community supervision.

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

C.S.H.B. 9 amends the Penal Code to enhance the penalty for obstructing a highway or other passageway from a Class B misdemeanor to a state jail felony for an actor who knowingly prevents the passage of an authorized emergency vehicle that is operating the vehicle's emergency audible or visual signals or obstructs access to a licensed hospital or other health care facility that provides emergency medical care.

C.S.H.B. 9 amends the Code of Criminal Procedure to require a court granting community supervision to a defendant convicted of such an offense punishable as a state jail felony to require as a condition of the defendant's community supervision that the defendant submit to not less than 10 days of confinement in a county jail.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 9 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.