

**SUBJECT:** Creating a penalty for tampering with certain electronic monitors

**COMMITTEE:** Corrections — favorable, without amendment

**VOTE:** 7 ayes — Herrero, Allen, V. Jones, R. Lopez, Murr, Swanson, Toth  
0 nays  
2 absent — Kacal, Sherman

**WITNESSES:** For — (*Registered, but did not testify*: Jennifer Szimanski, Combined Law Enforcement Associations of Texas (CLEAT); James Parnell, Dallas Police Association; Robin Foster, Harris County Deputies' Organization FOP #39; Jessica Anderson, Houston Police Department; Ray Hunt, HPOU; Carlos Ortiz, San Antonio Police Officers Association; Lauren Lluveras, Texas Council on Family Violence)  
  
Against — (*Registered, but did not testify*: Henry Bohnert; Benny Hernandez)  
  
On — Tim McDonnell, Board of Pardons and Paroles; Jennifer Toon, Lioness Justice Impacted Women's Alliance; Rene Hinojosa, Texas Department of Criminal Justice; Marci Simmons

**BACKGROUND:** Concerns have been raised that violations of electronic monitoring orders are currently a technical violation of parole and not a violation of state law.

**DIGEST:** HB 2984 would amend the Penal Code to establish that person who was required to submit to electronic monitoring of the person's location as part of an electric monitoring program or as a condition of certain sentences would commit an offense if the person knowingly removed or disabled a tracking device that the person was required to wear.  
  
This offense would be a state-jail felony (180 days to two years in a state jail and an optional fine of up to \$10,000), unless the person was in the

super-intensive supervision program, in which case, the offense would be a third-degree felony (two to 10 years in prison and an optional fine of up to \$10,000).

The bill would take effect September 1, 2023.

NOTES:

According to estimates by the Legislative Budget Board, the fiscal implications of the bill could not be determined due to lack of statewide data regarding the number of individuals who would be required to submit to electronic monitoring as a condition of certain supervision and the number of individuals who knowingly removed or disabled a required electronic monitoring device.