

SUBJECT: Amending the offense of illegal dumping and discarding lighted material

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 7 ayes — Moody, Cook, Bhojani, Bowers, Darby, C. Morales, Schatzline
1 nay — Harrison
1 absent — Leach

SENATE VOTE: On final passage (April 20) — 28 - 03

WITNESSES: For — (*Registered, but did not testify*: Nadia Islam, City of San Antonio; James Parnell, Dallas Police Association; Elisa M. Tamayo, El Paso County; Joe Morris, Game Warden Peace Officers Association; David Batton, Harris County Deputies Organization FOP 39; Ray Hunt, Houston Police Officers' Union; John Wilkerson, Texas Municipal Police Association)
Against — None

BACKGROUND: Penal Code ch. 15 establishes the offenses of criminal attempt, criminal conspiracy, criminal solicitation, and criminal solicitation of a minor, and applicable penalties.
Health and Safety Code sec. 365.012 establishes offenses of illegal dumping and discarding lighted materials, including a match, cigarette, or cigar, and applicable penalties.
Some have suggested that providing local authorities the power to prosecute individuals who order the disposal of unwanted materials could help curb illegal dumping.

DIGEST: SB 1346 would establish that Penal Code ch. 15 applied to an offense under Health and Safety Code sec. 365.012 related to illegal dumping and discarding lighted materials.

The bill would take effect September 1, 2023, and would apply only to an offense committed on or after the effective date.