

## **BILL ANALYSIS**

Senate Research Center

H.B. 624  
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Criminal Justice  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

After local incidents involving public doxing and attacking police officers in Texas, it has become apparent that the criminal code needs to be corrected. Not only have police officers been personally targeted, but their families have no legal protection from those who seek to harm them based on their relation to a public servant. The law, as it currently stands, also does not give protection to retired police.

H.B. 624 would increase the penalty for those who harass, intimidate, threaten, stalk, damage property, or trespass on property belonging to a public servant or their family. Specifically with intent to intimidate or harass a public servant or family of a public servant due to one's official position as a public servant.

H.B. 624 amends current law relating to increasing the criminal penalty for certain offenses committed in retaliation for or on account of a person's service or status as a public servant.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter D, Chapter 12, Penal Code, by adding Section 12.501, as follows:

Sec. 12.501. PENALTY FOR CERTAIN OFFENSES COMMITTED IN RETALIATION FOR OR ON ACCOUNT OF PERSON'S SERVICE OR STATUS AS PUBLIC SERVANT. (a) Defines "public servant" for Section 12.501.

(b) Provides that, subject to Subsection (d), the punishment for an offense described by Subsection (c) is increased to the punishment prescribed for the next higher category of offense if it is shown on the trial of the offense that:

(1) the offense:

(A) was committed against a person the actor knows is a public servant or a member of a public servant's family or household; or

(B) involves property that the actor knows belongs to, is under the control of, or is lawfully possessed by a public servant; and

(2) the offense was committed in retaliation for or on account of the service or status of the person as a public servant.

(c) Provides that the increase in punishment authorized by this section applies only to:

(1) an offense under Section 21.16 (Unlawful Disclosure or Promotion of Intimate Visual Material), 21.18 (Sexual Coercion), 21.19 (Unlawful Electronic Transmission of Sexually Explicit Visual Material), 22.011 (Sexual Assault), 28.02 (Arson), 28.03 (Criminal Mischief), 30.05

(Criminal Trespass), 33.02 (Breach of Computer Security), 42.07 (Harassment), or 42.072 (Stalking); or

(2) an offense under Section 32.51 (Fraudulent Use or Possession of Identifying Information), other than an offense punishable under Subsection (c-1) (relating to requiring that certain felony offenses be increased to the next higher category of offense) of Section 32.51.

(d) Provides that if an offense described by Subsection (c) is punishable as a Class A misdemeanor, the minimum term of confinement for the offense is increased to 180 days. Prohibits the punishment for the offense, if an offense described by Subsection (c) is punishable as a felony of the first degree, from being increased under Section 12.501.

(e) Defines "member of a public servant's family" for Section 12.501.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.