

BILL ANALYSIS

Senate Research Center
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S.B. 482
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the wake of Hurricane Beryl, utility workers restoring power faced not only the physical challenges of repairing downed power lines but also alarming hostility from some members of the public. These workers were met with harassment, verbal threats and, in some cases, physical assaults that put their safety at risk. They persisted in their essential work despite these dangers, highlighting the need for stronger legal protections for utility workers during emergencies. S.B. 482 enhances protections for utility workers by increasing criminal penalties for offenses committed against them while performing their duties during declared disasters or in areas with evacuation orders.

Bill Provisions:

As filed, S.B. 482 creates the following amendments to the Penal Code:

- Classifies assault against a utility worker while performing their duties in areas of declared disaster or evacuated areas as a third-degree felony.
- Classifies harassment of a utility worker during disasters as a Class A misdemeanor.
- Defines "utility" in detail, covering services like electricity, gas, telecommunications and pipelines.

As proposed, S.B. 482 amends current law relating to increasing the criminal penalties for the offenses of assault and harassment committed against certain employees or agents of a utility and committed in a disaster area or evacuated area.

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 Section 12.50, Penal Code, by adding Subsection (d-1) to prohibit a punishment for an offense, if that offense is punishable as a felony of the third degree under Section 22.01(b)(10), notwithstanding Section 12.50 (Penalty If Offense Committed in Disaster Area or Evacuated Area), from being increased under Subsection (c) (relating to the minimum term of confinement and prohibition of increased punishment for an offense under certain sections).

SECTION 2. Amends Section 12.501, Penal Code, by adding Subsection (d-1) to prohibit a punishment for an offense, if that offense is punishable as a Class A misdemeanor under Section 42.07(c)(3), notwithstanding Section 12.501 (Penalty for Certain Offenses Committed in Retaliation for or on Account of Person's Service or Status as Public Servant), from being increased under Subsection (d) (relating to the minimum term of confinement and prohibition of increased punishment for an offense under certain sections).

SECTION 3. Amends Section 22.01(b), Penal Code, as follows:

- (b) Provides that an offense under Subsection (a)(1) (relating to classifying an offense as assault if a person intentionally, knowingly, or recklessly causes bodily injury to another,

including the person's spouse) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against:

(1)-(7) makes no changes to these subdivisions;

(8)-(9) makes nonsubstantive changes to these subdivisions; and

(10) a person the actor knows or reasonably should know is an employee or agent of a utility while the person is performing a duty within the scope of that employment and located in certain areas.

SECTION 4. Amends Section 22.01(e), Penal Code, to define "utility."

SECTION 5. Amends Section 42.07(b), Penal Code, to define "utility."

SECTION 6. Amends Section 42.07(c), Penal Code, as follows:

(c) Provides that an offense under Section 42.07 (Harassment) is a Class B misdemeanor, except that the offense is a Class A misdemeanor if:

(1)-(2) makes nonsubstantive changes to these subdivisions; and

(3) the offense was committed against a person the actor knows or reasonably should know is an employee or agent of a utility while the person is performing a duty within the scope of that employment or agency and the offense was committed in certain areas.

SECTION 7. Makes application of this Act prospective.

SECTION 8. Effective date: September 1, 2025.