

By: Menéndez

S.B. No. 278

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibiting making, or encouraging or inducing another
3 to make, silent or abusive calls to a 9-1-1 service or public safety
4 answering point; creating a criminal offense.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. The heading to Section 42.061, Penal Code, is
7 amended to read as follows:

8 Sec. 42.061. SILENT OR ABUSIVE CALLS TO 9-1-1 SERVICE OR
9 PUBLIC SAFETY ANSWERING POINT.

10 SECTION 2. Section 42.061, Penal Code, is amended by
11 amending Subsection (b) and adding Subsection (c-1) to read as
12 follows:

13 (b) A person commits an offense if the person makes a call to
14 a 9-1-1 service or PSAP, or requests 9-1-1 service or PSAP
15 assistance using an electronic communications device, when there is
16 not an emergency and knowingly or intentionally:

17 (1) remains silent; or

18 (2) makes abusive or harassing statements to a PSAP
19 employee.

20 (c-1) A person commits an offense if, with intent to harass,
21 annoy, alarm, abuse, torment, or embarrass a PSAP employee or other
22 public servant, the person encourages or induces another to make a
23 call to a 9-1-1 service or PSAP or request 9-1-1 service or PSAP
24 assistance using an electronic communications device.

1 SECTION 3. The change in law made by this Act applies only
2 to an offense committed on or after the effective date of this Act.
3 An offense committed before the effective date of this Act is
4 governed by the law in effect when the offense was committed, and
5 the former law is continued in effect for that purpose. For
6 purposes of this section, an offense was committed before the
7 effective date of this Act if any element of the offense occurred
8 before that date.

9 SECTION 4. This Act takes effect September 1, 2019.