

1-1 By: Capriglione, et al. H.B. No. 3425
 1-2 (Senate Sponsor - Zaffirini)
 1-3 (In the Senate - Received from the House May 15, 2025;
 1-4 May 16, 2025, read first time and referred to Committee on Criminal
 1-5 Justice; May 26, 2025, reported favorably by the following vote:
 1-6 Yeas 6, Nays 0; May 26, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the prosecution of certain criminal offenses involving
 1-19 the unlawful disclosure of a residence address or telephone number.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Sections 36.06(a-1) and (d), Penal Code, are
 1-22 amended to read as follows:

1-23 (a-1) A person commits an offense if the person posts on a
 1-24 publicly accessible website or discloses through an electronic
 1-25 communication the residence address or telephone number of an
 1-26 individual the actor knows is a public servant or a member of a
 1-27 public servant's family or household with the intent to cause harm
 1-28 or a threat of harm to the individual or a member of the
 1-29 individual's family or household in retaliation for or on account
 1-30 of the service or status of the individual as a public servant.

1-31 (d) For purposes of an offense under Subsection (a-1)
 1-32 involving the posting of a residence address or telephone number on
 1-33 a publicly accessible website, it is prima facie evidence of the
 1-34 intent to cause harm or a threat of harm to an individual the person
 1-35 knows is a public servant or a member of a public servant's family
 1-36 or household if the actor:

1-37 (1) receives a written demand from the individual to
 1-38 not disclose the address or telephone number for reasons of safety;
 1-39 and

1-40 (2) either:

1-41 (A) fails to remove the address or telephone
 1-42 number from the publicly accessible website within a period of 48
 1-43 hours after receiving the demand; or

1-44 (B) reposts the address or telephone number on
 1-45 the same or a different publicly accessible website, or makes the
 1-46 information publicly available through another medium, within a
 1-47 period of four years after receiving the demand, regardless of
 1-48 whether the individual is no longer a public servant.

1-49 SECTION 2. Section 36.06(b), Penal Code, is amended by
 1-50 amending Subdivision (1) and adding Subdivision (1-a) to read as
 1-51 follows:

1-52 (1) "Electronic communication" has the meaning
 1-53 assigned by Section 42.07.

1-54 (1-a) "Honorably retired peace officer" means a peace
 1-55 officer who:

1-56 (A) did not retire in lieu of any disciplinary
 1-57 action;

1-58 (B) was eligible to retire from a law enforcement
 1-59 agency or was ineligible to retire only as a result of an injury
 1-60 received in the course of the officer's employment with the agency;
 1-61 and

2-1 (C) is entitled to receive a pension or annuity
2-2 for service as a law enforcement officer or is not entitled to
2-3 receive a pension or annuity only because the law enforcement
2-4 agency that employed the officer does not offer a pension or annuity
2-5 to its employees.

2-6 SECTION 3. Section 42.074, Penal Code, is amended by
2-7 amending Subsections (a), (b), and (c) and adding Subsection (e) to
2-8 read as follows:

2-9 (a) A person commits an offense if the person posts on a
2-10 publicly accessible website or discloses through an electronic
2-11 communication the residence address or telephone number of an
2-12 individual with the intent to cause harm or a threat of harm to the
2-13 individual or a member of the individual's family or household.

2-14 (b) An offense under this section is a Class B misdemeanor,
2-15 except that the offense is a Class A misdemeanor if the offense
2-16 results in the bodily injury of:

2-17 (1) the individual whose residence address or
2-18 telephone number was posted on a publicly accessible website or
2-19 disclosed through an electronic communication; or

2-20 (2) a member of the individual's family or household.

2-21 (c) This section does not apply to a public servant who
2-22 posted information described by Subsection (a) to a publicly
2-23 accessible website or disclosed that information through an
2-24 electronic communication in the performance of the public servant's
2-25 duties as required by or in accordance with state or federal law.

2-26 (e) In this section, "electronic communication" has the
2-27 meaning assigned by Section 42.07.

2-28 SECTION 4. The changes in law made by this Act apply only to
2-29 an offense committed on or after the effective date of this Act. An
2-30 offense committed before the effective date of this Act is governed
2-31 by the law in effect on the date the offense was committed, and the
2-32 former law is continued in effect for that purpose. For purposes of
2-33 this section, an offense was committed before the effective date of
2-34 this Act if any element of the offense occurred before that date.

2-35 SECTION 5. This Act takes effect September 1, 2025.

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