

BILL ANALYSIS

Senate Research Center
76R11217 KEL-D

H.B. 1001
By: Hartnett (West)
Criminal Justice
5/12/1999
Engrossed

DIGEST

Currently, there is no prohibition against the installation of an electronic tracking device on a car without the owner's consent. H.B. 1001 creates a Class A misdemeanor offense for the unlawful installation of a tracking device on a motor vehicle, and provides exceptions for certain individuals.

PURPOSE

As proposed, H.B. 1001 creates a Class A misdemeanor offense for the unlawful installation of a tracking device on a motor vehicle, and provides exceptions for certain individuals.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 16, Penal Code, by adding Section 16.06, as follows:

Sec. 16.06. UNLAWFUL INSTALLATION OF TRACKING DEVICE. Defines "electronic or mechanical tracking device" and "motor vehicle." Creates an offense for knowingly installing an electronic or mechanical tracking device on a motor vehicle owned or leased by another person. Provides that such an offense is a Class A misdemeanor. Provides that it is an affirmative defense to prosecution for persons who obtain consent, are peace officers, assist a person believed to be a peace officer, or are certain private investigators.

SECTION 2. Amends the heading to Chapter 16, Penal Code, as follows:

CHAPTER 16. CRIMINAL INSTRUMENTS, INTERCEPTION OF WIRE OR ORAL
COMMUNICATION, AND INSTALLATION OF TRACKING DEVICE

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.