

By: Schaefer

H.B. No. 79

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the criminal offense of trespass while entering the state.

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

SECTION 1. Chapter 30, Penal Code, is amended by adding Section 30.055 to read as follows:

Sec. 30.055. TRESPASS WHILE ENTERING THE STATE. (a) A person commits an offense if the person enters or remains on or in property of another, without the effective consent of the owner, while entering this state from a neighboring jurisdiction.

(b) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that the defendant has previously been convicted of an offense under this section.

(c) If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor may be prosecuted under this section, the other law, or both.

(d) The attorney general has concurrent jurisdiction with the appropriate local county or district attorney to prosecute an offense under this section.

SECTION 2. This Act takes effect on the 91st day after the last day of the legislative session.