

By: Morales of Maverick

H.B. No. 1037

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for certain theft offenses.

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

SECTION 1. Section 31.03(e), Penal Code, is amended to read as follows:

(e) Except as provided by Subsections (f) and (f-1), an offense under this section is:

(1) a Class C misdemeanor if the value of the property stolen is less than \$100;

(2) a Class B misdemeanor if:

(A) the value of the property stolen is \$100 or more but less than \$300 [~~\$750~~];

(B) the value of the property stolen is less than \$100 and the defendant has previously been convicted of any grade of theft; or

(C) the property stolen is a driver's license, commercial driver's license, or personal identification certificate issued by this state or another state;

(3) a Class A misdemeanor if the value of the property stolen is \$300 [~~\$750~~] or more but less than \$750 [~~\$2,500~~];

(4) a state jail felony if:

(A) the value of the property stolen is \$750 [~~\$2,500~~] or more but less than \$30,000, or the property is less than 10 head of sheep, swine, or goats or any part thereof under the

1 value of \$30,000;

2 (B) regardless of value, the property is stolen
3 from the person of another or from a human corpse or grave,
4 including property that is a military grave marker;

5 (C) the property stolen is a firearm;

6 (D) the value of the property stolen is less than
7 \$750 [~~\$2,500~~] and the defendant has been previously convicted two
8 or more times of any grade of theft;

9 (E) the property stolen is an official ballot or
10 official carrier envelope for an election;

11 (F) the value of the property stolen is less than
12 \$30,000 [~~\$20,000~~] and the property stolen is:

13 (i) aluminum;

14 (ii) bronze;

15 (iii) copper; or

16 (iv) brass; or

17 (G) the cost of replacing the property stolen is
18 less than \$30,000 and the property stolen is a catalytic converter;

19 (5) a felony of the third degree if the value of the
20 property stolen is \$30,000 or more but less than \$150,000, or the
21 property is:

22 (A) cattle, horses, or exotic livestock or exotic
23 fowl as defined by Section [142.001](#), Agriculture Code, stolen during
24 a single transaction and having an aggregate value of less than
25 \$150,000;

26 (B) 10 or more head of sheep, swine, or goats
27 stolen during a single transaction and having an aggregate value of

1 less than \$150,000; or

2 (C) a controlled substance, having a value of
3 less than \$150,000, if stolen from:

4 (i) a commercial building in which a
5 controlled substance is generally stored, including a pharmacy,
6 clinic, hospital, nursing facility, or warehouse; or

7 (ii) a vehicle owned or operated by a
8 wholesale distributor of prescription drugs;

9 (6) a felony of the second degree if:

10 (A) the value of the property stolen is \$150,000
11 or more but less than \$300,000; or

12 (B) the value of the property stolen is less than
13 \$300,000 and the property stolen is an automated teller machine or
14 the contents or components of an automated teller machine; or

15 (7) a felony of the first degree if the value of the
16 property stolen is \$300,000 or more.

17 SECTION 2. Section 31.04(e), Penal Code, is amended to read
18 as follows:

19 (e) An offense under this section is:

20 (1) a Class C misdemeanor if the value of the service
21 stolen is less than \$100;

22 (2) a Class B misdemeanor if the value of the service
23 stolen is \$100 or more but less than \$300 [~~\$750~~];

24 (3) a Class A misdemeanor if the value of the service
25 stolen is \$300 [~~\$750~~] or more but less than \$750 [~~\$2,500~~];

26 (4) a state jail felony if the value of the service
27 stolen is \$750 [~~\$2,500~~] or more but less than \$30,000;

1 (5) a felony of the third degree if the value of the
2 service stolen is \$30,000 or more but less than \$150,000;

3 (6) a felony of the second degree if the value of the
4 service stolen is \$150,000 or more but less than \$300,000; or

5 (7) a felony of the first degree if the value of the
6 service stolen is \$300,000 or more.

7 SECTION 3. Section 31.16(c), Penal Code, is amended to read
8 as follows:

9 (c) An offense under this section is:

10 (1) a Class C misdemeanor if the total value of the
11 merchandise involved in the activity is less than \$100;

12 (2) a Class B misdemeanor if the total value of the
13 merchandise involved in the activity is \$100 or more but less than
14 \$300 [~~\$750~~];

15 (3) a Class A misdemeanor if the total value of the
16 merchandise involved in the activity is \$300 [~~\$750~~] or more but less
17 than \$750 [~~\$2,500~~];

18 (4) a state jail felony if the total value of the
19 merchandise involved in the activity is \$750 [~~\$2,500~~] or more but
20 less than \$30,000;

21 (5) a felony of the third degree if the total value of
22 the merchandise involved in the activity is \$30,000 or more but less
23 than \$150,000;

24 (6) a felony of the second degree if the total value of
25 the merchandise involved in the activity is \$150,000 or more but
26 less than \$300,000; or

27 (7) a felony of the first degree if the total value of

1 the merchandise involved in the activity is \$300,000 or more.

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

9 SECTION 5. This Act takes effect September 1, 2025.