

By: Rose

H.B. No. 3225

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of certain previous felony theft convictions to
3 enhance the punishment for theft.

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

5 SECTION 1. Section 31.03, Penal Code, is amended by adding
6 Subsection (j) to read as follows:

7 (j) The punishment of a defendant that is enhanced under
8 Subsection (e)(4)(D) to a state jail felony may be further enhanced
9 under Section 12.42(a)(1) or (2) to a felony of the third degree or
10 a felony of the second degree, except that a previous felony
11 conviction for theft that is used to enhance punishment under
12 Subsection (e)(4)(D) may not also be used to enhance punishment
13 under Section 12.42(a)(1) or (2).

14 SECTION 2. (a) The change in law made by this Act applies
15 only to an offense committed on or after the effective date of this
16 Act. For purposes of this section, an offense is committed before
17 the effective date of this Act if any element of the offense occurs
18 before the effective date.

19 (b) An offense committed before the effective date of this
20 Act is covered by the law in effect when the offense was committed,
21 and the former law is continued in effect for that purpose.

22 SECTION 3. This Act takes effect September 1, 2003.