

By: Keel, Talton, Hill, Nixon, Pena, et al.

H.B. No. 970

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the required mental state for commission of certain
3 misdemeanor offenses.

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

5 SECTION 1. Section 6.02, Penal Code, is amended by adding
6 Subsection (f) to read as follows:

7 (f) An offense defined by municipal ordinance or by order of
8 a county commissioners court may not dispense with the requirement
9 of a culpable mental state if the offense is punishable by a fine
10 exceeding the amount authorized by Section 12.23.

11 SECTION 2. The change in law made by this Act applies only
12 to an offense committed on or after the effective date of this Act.
13 An offense committed before the effective date of this Act is
14 covered by the law in effect when the offense was committed, and the
15 former law is continued in effect for that purpose. For purposes of
16 this section, an offense is committed before the effective date of
17 this Act if any element of the offense occurs before the effective
18 date.

19 SECTION 3. This Act takes effect September 1, 2005.