

By: Keel

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) A municipal ordinance or an order by a county
8 commissioners court may not dispense with the requirement of a
9 culpable mental state in the definition of an offense that is
10 punishable by fine only, in an amount that exceeds the amount
11 authorized by Section 12.23.

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

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