

1-1 By: Keel, et al. (Senate Sponsor - Hinojosa) H.B. No. 970
1-2 (In the Senate - Received from the House March 31, 2005;
1-3 April 5, 2005, read first time and referred to Committee on
1-4 Criminal Justice; May 18, 2005, reported favorably by the
1-5 following vote: Yeas 5, Nays 0; May 18, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the required mental state for commission of certain
1-9 misdemeanor offenses.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 6.02, Penal Code, is amended by adding
1-12 Subsection (f) to read as follows:

1-13 (f) An offense defined by municipal ordinance or by order of
1-14 a county commissioners court may not dispense with the requirement
1-15 of a culpable mental state if the offense is punishable by a fine
1-16 exceeding the amount authorized by Section 12.23.

1-17 SECTION 2. The change in law made by this Act applies only
1-18 to an offense committed on or after the effective date of this Act.
1-19 An offense committed before the effective date of this Act is
1-20 covered by the law in effect when the offense was committed, and the
1-21 former law is continued in effect for that purpose. For purposes of
1-22 this section, an offense is committed before the effective date of
1-23 this Act if any element of the offense occurs before the effective
1-24 date.

1-25 SECTION 3. This Act takes effect September 1, 2005.

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