

By: Bailey

H.B. No. 3193

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the offense of arson and to the sentencing of that
3 offense; providing criminal penalties.

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

5 SECTION 1. Title 7, Chapter 28, Section 28.01, Penal Code,
6 is amended by adding subsection (7) to read as follows:

7 Sec. 28.01. DEFINITIONS. (7) Structure means any thing
8 built or composed of parts joined together.

9 SECTION 2. Title 7, Chapter 28, Section 28.02, Penal Code,
10 is amended by adding subsection (e) to read as follows:

11 Sec. 28.02. ARSON. (e) It is a felony of the third degree if
12 a person commits an offense under (a)(2) of this section and he
13 intentionally starts a fire in or on a building, habitation, or
14 vehicle, with intent to damage or destroy property belonging to
15 another, or with intent to injure any person, and in so doing,
16 recklessly causes damage to the building, habitation or vehicle.

17 SECTION 3. Article 42.12, Section 3g(a)(1), Code of
18 Criminal Procedure, is amended by adding subsection (I) as to read
19 as follows:

20 Sec. 3g(a)(1). LIMITATION ON JUDGE ORDERED COMMUNITY
21 SUPERVISION (I) Section 28.02, Penal Code (Arson).

22 SECTION 4. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 3193

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2005.