

By: Staples

S.B. No. 366

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of burglary of vehicles.

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

SECTION 1. Section 30.04(d), Penal Code, is amended to read as follows:

(d) An offense under this section is a Class A misdemeanor, except that the offense is a state jail felony if:

(1) it is shown on the trial of the offense that the defendant has been previously convicted two times under this section; or

(2) [unless] the vehicle or part of the vehicle broken into or entered is a rail car [~~in which event the offense is a state jail felony~~].

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

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