

By: Pena

H.B. No. 1767

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the punishment for criminal mischief committed by
3 interfering with certain transportation signs, signals, or
4 devices.

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

6 SECTION 1. Section 28.03(g), Penal Code, is amended by
7 adding Subdivisions (4) through (8) to read as follows:

8 (4) "Aluminum wiring" means insulated or noninsulated
9 wire or cable that consists of at least 50 percent aluminum,
10 including any tubing or conduit attached to the wire or cable.

11 (5) "Bronze wiring" means insulated or noninsulated
12 wire or cable that consists of at least 50 percent bronze, including
13 any tubing or conduit attached to the wire or cable.

14 (6) "Copper wiring" means insulated or noninsulated
15 wire or cable that consists of at least 50 percent copper, including
16 any tubing or conduit attached to the wire or cable.

17 (7) "Transportation communications equipment" means:

18 (A) an official traffic-control device, railroad
19 sign or signal, or traffic-control signal, as those terms are
20 defined by Section 541.304, Transportation Code; or

21 (B) a sign, signal, or device erected by a
22 railroad, public body, or public officer to direct the movement of a
23 railroad train, as defined by Section 541.202, Transportation Code.

24 (8) "Transportation communications device" means any

1 item attached to transportation communications equipment,
2 including aluminum wiring, bronze wiring, and copper wiring.

3 SECTION 2. Section 28.03, Penal Code, is amended by adding
4 Subsection (j) to read as follows:

5 (j) Notwithstanding Subsection (b), an offense under this
6 section is a felony of the third degree if:

7 (1) the tangible property damaged, destroyed, or
8 tampered with is transportation communications equipment or a
9 transportation communications device; and

10 (2) the amount of the pecuniary loss to the tangible
11 property is less than \$100,000.

12 SECTION 3. 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 that purpose. For purposes of
17 this section, an offense was committed before the effective date of
18 this Act if any element of the offense was committed before that
19 date.

20 SECTION 4. This Act takes effect September 1, 2007.