

By: Mallory Caraway

H.B. No. 2950

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the punishment of the offense of burglary committed by
3 entering a building with intent to commit a theft involving an
4 automated teller machine or safe.

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

6 SECTION 1. Section 30.02, Penal Code, is amended by
7 amending Subsection (c) and adding Subsection (e) to read as
8 follows:

9 (c) Except as provided in Subsection (d) or (e), an offense
10 under this section is a:

11 (1) state jail felony if committed in a building other
12 than a habitation; or

13 (2) felony of the second degree if committed in a
14 habitation.

15 (e) An offense under this section is a felony of the third
16 degree if the actor, with intent to commit a theft involving an
17 automated teller machine or a safe, uses an object or the actor's
18 body to damage a wall, door, or window and gain entry into a
19 building other than a habitation.

20 SECTION 2. The change in law made by this Act applies only
21 to an offense committed on or after the effective date of this Act.
22 An offense committed before the effective date of this Act is
23 governed by the law in effect when the offense was committed, and
24 the former law is continued in effect for that purpose. For

1 purposes of this section, an offense was committed before the
2 effective date of this Act if any element of the offense occurred
3 before that date.

4 SECTION 3. This Act takes effect September 1, 2007.