

By: Mallory Caraway

H.B. No. 2950

Substitute the following for H.B. No. 2950:

By: Pena

C.S.H.B. No. 2950

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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 governed by the law in effect when the offense was committed, and 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.