

By: Jackson, Mike

S.B. No. 752

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the punishment for the offense of theft committed  
3 during a natural disaster.

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

5 SECTION 1. Section 31.03(f), Penal Code, is amended to read  
6 as follows:

7 (f) An offense described for purposes of punishment by  
8 Subsections (e)(1)-(6) is increased to the next higher category of  
9 offense if it is shown on the trial of the offense that:

10 (1) the actor was a public servant at the time of the  
11 offense and the property appropriated came into the actor's  
12 custody, possession, or control by virtue of his status as a public  
13 servant;

14 (2) the actor was in a contractual relationship with  
15 government at the time of the offense and the property appropriated  
16 came into the actor's custody, possession, or control by virtue of  
17 the contractual relationship; ~~or~~

18 (3) the owner of the property appropriated was at the  
19 time of the offense an elderly individual; or

20 (4) the offense was committed at a location where a  
21 natural disaster, including a tornado, hurricane, flood, or fire,  
22 was occurring at the time of the offense or occurred immediately  
23 before the offense was committed.

24 SECTION 2. The change in law made by this Act applies only

1 to an offense committed on or after the effective date of this Act.  
2 An offense committed before the effective date of this Act is  
3 covered by the law in effect when the offense was committed, and the  
4 former law is continued in effect for that purpose. For purposes of  
5 this section, an offense is committed before the effective date of  
6 this Act if any element of the offense occurs before the effective  
7 date.

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