

By: Janek

S.B. No. 795

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the offense of criminal trespass on a docking place.

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

SECTION 1. Chapter 30, Penal Code, is amended by adding Section 30.07 to read as follows:

Sec. 30.07. TRESPASS ON DOCKING PLACE. (a) In this section:

(1) "Docking place" includes a pier, wharf, dock, slip, slipway, or any other man-made landing area for ships, boats, or other watercraft.

(2) "Enter" means to intrude:

(A) any part of the body; or

(B) any physical object connected with the body.

(3) "Notice" means:

(A) oral or written communication by the owner or someone with apparent authority to act for the owner;

(B) fencing or other enclosure obviously designed to exclude intruders from the docking place; or

(C) a sign or signs posted on a docking place or at the entrance to a docking place, reasonably likely to come to the attention of intruders, indicating that entry is forbidden.

(b) A person commits an offense if the person:

(1) enters the docking place of another without the effective consent of the owner or lessee of the docking place; and

1           (2) after receiving notice that entry is forbidden,  
2 remains in, on, or attached to the docking place.

3           (c) A person commits an offense if the person, after  
4 receiving notice that entering a docking place is forbidden,  
5 anchors, ties up, moors, or otherwise makes stationary the actor's  
6 ship, boat, or other watercraft at a place or in a manner that  
7 eliminates another's ingress or egress from the docking place.

8           (d) An offense under this section is a Class B misdemeanor.

9           (e) The defense provided by Section 30.05(c) applies to an  
10 offense under this section.

11           SECTION 2. This Act takes effect September 1, 2007.