

BILL ANALYSIS

C.S.H.B. 1865
By: Kolkhorst
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Theft of cattle and livestock is becoming increasingly more common, warranting an increase in penalties for these offenses.

C.S.H.B. 1865 increases the penalty for theft of any number of cattle, horses, exotic livestock, exotic fowl, or 10 or more sheep, swine, or goats.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1865 amends the Penal Code to provide that theft of property valued at \$1,500 or more but less than \$20,000, or property that is less than 10, rather than less than 100, head of sheep, swine, or goats or any part thereof under the value of \$20,000, is a state jail felony. The bill provides that theft of property that is cattle, horses, exotic livestock, or exotic fowl, regardless of the number stolen, or 10 or more, rather than 100 or more, head of sheep, swine, or goats stolen during a single transaction and having an aggregate value of less than \$100,000 is a third degree felony. The bill makes conforming changes.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1865 differs from the original by providing that theft of less than 10 head of sheep, swine, or goats or any part thereof under the value of \$20,000 is a state jail felony and theft of 10 or more head of sheep, swine, or goats stolen during a single transaction and having an aggregate value of less than \$100,000 is a third degree felony, whereas the original provides that theft of such animals stolen during a single transaction and having an aggregate value of less than \$100,000, regardless of the number stolen, is a third degree felony.