

BILL ANALYSIS

S.B. 1163
By: Seliger
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The theft of cattle and livestock has become increasingly problematic recently, especially along the border of the Texas Panhandle.

S.B. 1163 makes the theft of cattle, horses, exotic livestock or fowl, sheep, swine, or goats a state jail felony if the stolen property is less than 10 head of sheep, swine, or goats or any part thereof under the value of \$20,000, and a felony of the third degree if the property stolen is cattle, horses, or exotic livestock stolen during a single transaction and having an aggregate value of less than \$100,000 or 10 or more head of sheep, swine, or goats stolen during a single transaction and having an aggregate value of less than \$100,000.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 31.03(e), Penal Code, as follows:

(e) Provides that an offense under this section, except as provided by Subsection (f) (relating to an increase of an offense for certain reasons) is:

(4) a state jail felony if the value of the property stolen is \$1,500 or more but less than \$20,000, or the property is less than 10 head of sheep, swine, or goats or any part thereof under the value of \$20,000. Deletes existing text providing that an offense is a state jail felony if the property is less than 10 head of cattle, horses, or exotic livestock or exotic fowl as defined by Section 142.001 (Definitions), Agriculture Code, or any part thereof under the value of \$20,000, or less than 100 head of sheep, swine, or goats.

(5) a felony of the third degree if the value of the property stolen is \$20,000 or more but less than \$100,000, or the property is cattle, horses, or exotic livestock or exotic fowl as defined by Section 142.001, Agriculture Code, or 10 or more head of sheep, swine, or goats, stolen during a single transaction and having an aggregate value of less than \$100,000. Deletes existing text providing a felony of the third degree if the property is 10 or more head of cattle, horses, or exotic livestock or exotic fowl as defined by Section 142.001, Agriculture Code, or 100 or more head of sheep, swine, or goats, stolen during a single transaction and having an aggregate value of less than \$100,000. Makes conforming changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009.