

By: Kent

H.B. No. 2126

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the prosecution and punishment of offenses involving  
3 graffiti.

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

5 SECTION 1. Section 28.08(b), Penal Code, is amended to read  
6 as follows:

7 (b) Except as provided by Subsection (d), an offense under  
8 this section is:

9 (1) a Class B misdemeanor if the amount of pecuniary  
10 loss is less than \$300 [~~\$500~~];

11 (2) a Class A misdemeanor if the amount of pecuniary  
12 loss is \$300 [~~\$500~~] or more but less than \$1,500;

13 (3) a state jail felony if the amount of pecuniary loss  
14 is \$1,500 or more but less than \$20,000;

15 (4) a felony of the third degree if the amount of  
16 pecuniary loss is \$20,000 or more but less than \$100,000;

17 (5) a felony of the second degree if the amount of  
18 pecuniary loss is \$100,000 or more but less than \$200,000; or

19 (6) a felony of the first degree if the amount of  
20 pecuniary loss is \$200,000 or more.

21 SECTION 2. The change in law made by this Act applies only  
22 to an offense committed on or after the effective date of this Act.  
23 An offense committed before the effective date of this Act is  
24 covered by the law in effect when the offense was committed, and the

1 former law is continued in effect for that purpose. For purposes of  
2 this section, an offense was committed before the effective date of  
3 this Act if any element of the offense was committed before that  
4 date.

5 SECTION 3. This Act takes effect September 1, 2009.