

By: Ortiz, Jr.

H.B. No. 4537

A BILL TO BE ENTITLED

AN ACT

relating to the consequences of certain offenses involving the burglary of a vehicle.

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

SECTION 1. Section 30.04(d), Penal Code, is amended to read as follows:

(d) An offense under this section is a Class A misdemeanor, except that:

(1) ~~[the offense is a Class A misdemeanor with a minimum term of confinement of six months if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section; and~~

~~(2)~~ the offense is a state jail felony if:

(A) it is shown on the trial of the offense that the defendant has been previously convicted ~~[two or more times]~~ of an offense under this section; or

(B) the vehicle or part of the vehicle broken into or entered is a rail car.

SECTION 2. This Act takes effect September 1, 2009.