

By: Harris

S.B. No. 1660

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution for the offense of criminal trespass for process servers.

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

SECTION 1. Section 30.05(c), Penal Code, is amended to read as follows:

(c) It is a defense to prosecution under this section that the actor at the time of the offense was:

(1) a fire fighter or emergency medical services personnel, as ~~[that term is]~~ defined by Section 773.003, Health and Safety Code, acting in the lawful discharge of an official duty under exigent circumstances; or

(2) a process server, certified by the Supreme Court of Texas to serve civil process, engaged in the service of process.

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