

AN ACT

relating to the criminal penalty for failure of a trustee to pay the beneficiaries of the trust the purchase price for timber sold by the trustee.

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

SECTION 1. Section 151.105(d), Natural Resources Code, is amended to read as follows:

(d) An offense under this section is:

(1) a state jail felony if it is shown on the trial of the offense that the value of the timber sold is at least \$500 but less than \$20,000;

(2) a felony of the third degree if it is shown on the trial of the offense that the value of the timber sold is at least \$20,000 but less than \$100,000;

(3) a felony of the second degree if it is shown on the trial of the offense that the value of the timber sold is at least \$100,000 but less than \$200,000; or

(4) a felony of the first degree if it is shown on the trial of the offense that the value of the timber sold is at least \$200,000.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was

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

5 SECTION 3. This Act takes effect September 1, 2011.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 612 was passed by the House on March 31, 2011, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 612 was passed by the Senate on April 21, 2011, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor