

1-1 By: Hopson (Senate Sponsor - Nichols) H.B. No. 612  
1-2 (In the Senate - Received from the House April 4, 2011;  
1-3 April 7, 2011, read first time and referred to Committee on  
1-4 Agriculture and Rural Affairs; April 13, 2011, reported favorably  
1-5 by the following vote: Yeas 3, Nays 0; April 13, 2011, sent to  
1-6 printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the criminal penalty for failure of a trustee to pay the  
1-10 beneficiaries of the trust the purchase price for timber sold by the  
1-11 trustee.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 151.105(d), Natural Resources Code, is  
1-14 amended to read as follows:

1-15 (d) An offense under this section is:

1-16 (1) a state jail felony if it is shown on the trial of  
1-17 the offense that the value of the timber sold is at least \$500 but  
1-18 less than \$20,000;

1-19 (2) a felony of the third degree if it is shown on the  
1-20 trial of the offense that the value of the timber sold is at least  
1-21 \$20,000 but less than \$100,000;

1-22 (3) a felony of the second degree if it is shown on the  
1-23 trial of the offense that the value of the timber sold is at least  
1-24 \$100,000 but less than \$200,000; or

1-25 (4) a felony of the first degree if it is shown on the  
1-26 trial of the offense that the value of the timber sold is at least  
1-27 \$200,000.

1-28 SECTION 2. The change in law made by this Act applies only  
1-29 to an offense committed on or after the effective date of this Act.  
1-30 An offense committed before the effective date of this Act is  
1-31 governed by the law in effect on the date the offense was  
1-32 committed, and the former law is continued in effect for that  
1-33 purpose. For purposes of this section, an offense was committed  
1-34 before the effective date of this Act if any element of the offense  
1-35 occurred before that date.

1-36 SECTION 3. This Act takes effect September 1, 2011.

1-37 \* \* \* \* \*