

By: Martinez Fischer

H.B. No. 690

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of graffiti.

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

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

(d) An offense under this section is a state jail felony if:

(1) the marking is made on a school, an institution of higher education, a place of worship or human burial, a public monument, a historic structure or property, or a community center that provides medical, social, or educational programs; and

(2) the amount of the pecuniary loss to real property or to tangible personal property is less than \$20,000.

SECTION 2. Section 28.08(e), Penal Code, is amended by adding Subdivision (2-a) to read as follows:

(2-a) "Historic structure or property" has the meaning assigned by Section 315.006, Local Government Code.

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

1 SECTION 4. This Act takes effect September 1, 2011.