

By: Guillen

H.B. No. 61

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of arson.

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

SECTION 1. Section 28.02(d), Penal Code, is amended to read as follows:

(d) An offense under Subsection (a) is a felony of the second degree, except that the offense is a felony of the first degree if it is shown on the trial of the offense that:

(1) bodily injury or death was suffered by any person by reason of the commission of the offense; or

(2) the property intended to be damaged or destroyed by the actor was:

(A) a habitation or a place of assembly or worship;

(B) an agricultural facility in which the primary purpose is raising, growing, or otherwise caring for livestock in confinement for the production of food, including a beef cattle feedlot, milk cow dairy, egg and poultry operation, swine breeding or growing farm, livestock auction yard, or slaughterhouse; or

(C) located in a state park.

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 committed,

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

5 SECTION 3. This Act takes effect September 1, 2013.