

1-1 By: Campbell S.B. No. 554
 1-2 (In the Senate - Filed February 13, 2013; February 20, 2013,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 April 25, 2013, reported favorably by the following vote: Yeas 7,
 1-5 Nays 2; April 25, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13		X		
1-14	X			
1-15		X		
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the penalty for theft of an official ballot or official
 1-20 carrier envelope for an election.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subsection (e), Section 31.03, Penal Code, is
 1-23 amended to read as follows:

1-24 (e) Except as provided by Subsection (f), an offense under
 1-25 this section is:

1-26 (1) a Class C misdemeanor if the value of the property
 1-27 stolen is less than:

1-28 (A) \$50; or

1-29 (B) \$20 and the defendant obtained the property
 1-30 by issuing or passing a check or similar sight order in a manner
 1-31 described by Section 31.06;

1-32 (2) a Class B misdemeanor if:

1-33 (A) the value of the property stolen is:

1-34 (i) \$50 or more but less than \$500; or

1-35 (ii) \$20 or more but less than \$500 and the
 1-36 defendant obtained the property by issuing or passing a check or
 1-37 similar sight order in a manner described by Section 31.06;

1-38 (B) the value of the property stolen is less
 1-39 than:

1-40 (i) \$50 and the defendant has previously
 1-41 been convicted of any grade of theft; or

1-42 (ii) \$20, the defendant has previously been
 1-43 convicted of any grade of theft, and the defendant obtained the
 1-44 property by issuing or passing a check or similar sight order in a
 1-45 manner described by Section 31.06; or

1-46 (C) the property stolen is a driver's license,
 1-47 commercial driver's license, or personal identification
 1-48 certificate issued by this state or another state;

1-49 (3) a Class A misdemeanor if the value of the property
 1-50 stolen is \$500 or more but less than \$1,500;

1-51 (4) a state jail felony if:

1-52 (A) the value of the property stolen is \$1,500 or
 1-53 more but less than \$20,000, or the property is less than 10 head of
 1-54 sheep, swine, or goats or any part thereof under the value of
 1-55 \$20,000;

1-56 (B) regardless of value, the property is stolen
 1-57 from the person of another or from a human corpse or grave,
 1-58 including property that is a military grave marker;

1-59 (C) the property stolen is a firearm, as defined
 1-60 by Section 46.01;

1-61 (D) the value of the property stolen is less than

2-1 \$1,500 and the defendant has been previously convicted two or more
2-2 times of any grade of theft; or

2-3 (E) [~~the property stolen is an official ballot or~~
2-4 ~~official carrier envelope for an election; or~~

2-5 [~~F~~] the value of the property stolen is less
2-6 than \$20,000 and the property stolen is:

2-7 (i) aluminum;

2-8 (ii) bronze;

2-9 (iii) copper; or

2-10 (iv) brass;

2-11 (5) a felony of the third degree if the value of the
2-12 property stolen is \$20,000 or more but less than \$100,000, or the
2-13 property is:

2-14 (A) cattle, horses, or exotic livestock or exotic
2-15 fowl as defined by Section 142.001, Agriculture Code, stolen during
2-16 a single transaction and having an aggregate value of less than
2-17 \$100,000; [~~or~~]

2-18 (B) 10 or more head of sheep, swine, or goats
2-19 stolen during a single transaction and having an aggregate value of
2-20 less than \$100,000; or

2-21 (C) an official ballot or official carrier
2-22 envelope for an election;

2-23 (6) a felony of the second degree if:

2-24 (A) the value of the property stolen is \$100,000
2-25 or more but less than \$200,000; or

2-26 (B) the value of the property stolen is less than
2-27 \$200,000 and the property stolen is an automated teller machine or
2-28 the contents or components of an automated teller machine; or

2-29 (7) a felony of the first degree if the value of the
2-30 property stolen is \$200,000 or more.

2-31 SECTION 2. The change in law made by this Act applies only
2-32 to an offense committed on or after the effective date of this Act.
2-33 An offense committed before the effective date of this Act is
2-34 covered by the law in effect when the offense was committed, and the
2-35 former law is continued in effect for that purpose. For purposes of
2-36 this section, an offense is committed before the effective date of
2-37 this Act if any element of the offense occurs before that date.

2-38 SECTION 3. This Act takes effect September 1, 2013.

2-39 * * * * *