

By: Nelson

S.B. No. 947

A BILL TO BE ENTITLED

AN ACT

relating to adverse possession of real property as a defense to certain offenses against property.

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

SECTION 1. Section 30.02, Penal Code, is amended by adding Subsection (e) to read as follows:

(e) It is not a defense to prosecution under this section that the actor is attempting to take ownership of the real property through adverse possession or a claim of adverse possession unless the actor has full title subject to Section 16.030, Civil Practice and Remedies Code.

SECTION 2. The changes in law made by this Act apply 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 when 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.

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