

By: Wray

H.B. No. 983

A BILL TO BE ENTITLED

1 AN ACT
2 relating to an increase in punishment for certain persons convicted
3 of theft of a trailer, semitrailer, farm tractor, or implement of
4 husbandry.

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

6 SECTION 1. Section 31.03(e), Penal Code, is amended to read
7 as follows:

8 (e) Except as provided by Subsection (f), an offense under
9 this section is:

10 (1) a Class C misdemeanor if the value of the property
11 stolen is less than \$100;

12 (2) a Class B misdemeanor if:

13 (A) the value of the property stolen is \$100 or
14 more but less than \$750;

15 (B) the value of the property stolen is less than
16 \$100 and the defendant has previously been convicted of any grade of
17 theft; or

18 (C) the property stolen is a driver's license,
19 commercial driver's license, or personal identification
20 certificate issued by this state or another state;

21 (3) a Class A misdemeanor if the value of the property
22 stolen is \$750 or more but less than \$2,500;

23 (4) a state jail felony if:

24 (A) the value of the property stolen is \$2,500 or

1 more but less than \$30,000, or the property is less than 10 head of
2 sheep, swine, or goats or any part thereof under the value of
3 \$30,000;

4 (B) regardless of value, the property is stolen
5 from the person of another or from a human corpse or grave,
6 including property that is a military grave marker;

7 (C) the property stolen is a firearm, as defined
8 by Section 46.01;

9 (D) the value of the property stolen is less than
10 \$2,500 and the defendant has been previously convicted two or more
11 times of any grade of theft;

12 (E) the property stolen is an official ballot or
13 official carrier envelope for an election; or

14 (F) the value of the property stolen is less than
15 \$20,000 and the property stolen is:

16 (i) aluminum;

17 (ii) bronze;

18 (iii) copper; or

19 (iv) brass;

20 (5) a felony of the third degree if the value of the
21 property stolen is \$30,000 or more but less than \$150,000, or the
22 property is:

23 (A) cattle, horses, or exotic livestock or exotic
24 fowl as defined by Section 142.001, Agriculture Code, stolen during
25 a single transaction and having an aggregate value of less than
26 \$150,000; [~~or~~]

27 (B) 10 or more head of sheep, swine, or goats

1 stolen during a single transaction and having an aggregate value of
2 less than \$150,000; or

3 (C) a trailer, semitrailer, farm tractor, or
4 implement of husbandry, as defined by Section 541.201,
5 Transportation Code, that has a value of less than \$30,000;

6 (6) a felony of the second degree if:

7 (A) the value of the property stolen is \$150,000
8 or more but less than \$300,000; or

9 (B) the value of the property stolen is less than
10 \$300,000 and the property stolen is an automated teller machine or
11 the contents or components of an automated teller machine; or

12 (7) a felony of the first degree if the value of the
13 property stolen is \$300,000 or more.

14 SECTION 2. The change in law made by this Act applies only
15 to an offense committed on or after the effective date of this Act.
16 An offense committed before the effective date of this Act is
17 governed by the law in effect on the date the offense was committed,
18 and the former law is continued in effect for that purpose. For
19 purposes of this section, an offense was committed before the
20 effective date of this Act if any element of the offense occurred
21 before that date.

22 SECTION 3. This Act takes effect September 1, 2017.