

By: Geren

H.B. No. 2440

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for the offense of theft.

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

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

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

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

(2) a Class B misdemeanor if:

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

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

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

(3) a Class A misdemeanor if:

(A) the value of the property stolen is \$750 or more but less than \$2,500; or

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

1 (4) a state jail felony if:

2 (A) the value of the property stolen is \$2,500 or
3 more but less than \$30,000, or the property is less than 10 head of
4 sheep, swine, or goats or any part thereof under the value of
5 \$30,000;

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

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

11 (D) the value of the property stolen is \$100 or
12 more but less than \$2,500 and the defendant has been previously
13 convicted two or more times of any grade of theft;

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

16 (F) the value of the property stolen is less than
17 \$20,000 and the property stolen is:

18 (i) aluminum;

19 (ii) bronze;

20 (iii) copper; or

21 (iv) brass;

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

25 (A) cattle, horses, or exotic livestock or exotic
26 fowl as defined by Section 142.001, Agriculture Code, stolen during
27 a single transaction and having an aggregate value of less than

1 \$150,000; or

2 (B) 10 or more head of sheep, swine, or goats
3 stolen during a single transaction and having an aggregate value of
4 less than \$150,000;

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

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

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

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

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

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