

By: Dean

H.B. No. 2793

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for certain behavior constituting disorderly conduct; increasing a criminal penalty.

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

SECTION 1. Section 42.01(d), Penal Code, is amended to read as follows:

(d) An offense under this section is a Class C misdemeanor, except that the offense is a Class B misdemeanor if the offense is committed under:

(1) Subsection (a)(5) and it is shown on the trial of the offense that:

(A) the actor made the unreasonable noise:

(i) during the nine-hour period occurring between the hours of 9 p.m. and 6 a.m.; and

(ii) after receiving notice of a complaint regarding a previous noise made by the actor during the same period described by Subparagraph (i); and

(B) the previous noise was unreasonable; or

(2) [~~unless committed under~~ Subsection (a)(7) or (a)(8) [~~, in which event it is a Class B misdemeanor~~].

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, 2017.