

By: Wu

H.B. No. 3278

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the criminal offense of predatory theft.

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

SECTION 1. Chapter 31, Penal Code, is amended by adding Section 31.20 to read as follows:

Sec. 31.20. PREDATORY THEFT. (a) In this section, "follow" means any conduct that tends to show that a person pursued another, including waiting for the person, tracking or trailing the person, and maintaining visual contact with the person.

(b) A person commits an offense if, with the intent to commit an offense under Section 29.02, 29.03, 30.04, or 31.03, the person:

(1) follows another person; and

(2) engages in conduct constituting an offense under Section 31.03 against the person followed.

(c) An offense under this section is a felony of the third degree.

(d) If conduct that constitutes an offense under this section also constitutes an offense under other law, the actor may be prosecuted under this section, the other law, or both.

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

1 governed by the law in effect on the date the offense was committed,
2 and the former law is continued in effect for that purpose. For
3 purposes of this section, an offense was committed before the
4 effective date of this Act if any element of the offense occurred
5 before that date.

6 SECTION 3. This Act takes effect September 1, 2019.