

By: Anderson

H.B. No. 4235

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty for burglary of a commercial building in which trade or commerce is conducted.

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

SECTION 1. Section 30.02(c), Penal Code, is amended to read as follows:

(c) Except as provided in Subsection (c-1) or (d), an offense under this section is a:

(1) state jail felony if committed in a building other than:

(A) a commercial building in which trade or commerce is conducted; or

(B) a habitation; [~~or~~]

(2) felony of the third degree if committed in a commercial building in which trade or commerce is conducted; or

(3) felony of the second degree if committed in a habitation.

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, 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 was

1 committed before that date.

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