

By: Anderson

H.B. No. 4235

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

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

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

18 SECTION 2. The change in law made by this Act applies only
19 to an offense committed on or after the effective date of this Act.
20 An offense committed before the effective date of this Act is
21 governed by the law in effect on the date the offense was committed,
22 and the former law is continued in effect for that purpose. For
23 purposes of this section, an offense was committed before the
24 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.