

By: Bettencourt, Flores

S.B. No. 961

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a citation for a criminal trespass offense punishable as a Class B misdemeanor.

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

SECTION 1. Article 14.06(d), Code of Criminal Procedure, is amended to read as follows:

(d) Subsection (c) applies only to a person charged with committing an offense under:

(1) Section 481.121, Health and Safety Code, if the offense is punishable under Subsection (b)(1) or (2) of that section;

(1-a) Section 481.1161, Health and Safety Code, if the offense is punishable under Subsection (b)(1) or (2) of that section;

(2) Section 28.03, Penal Code, if the offense is punishable under Subsection (b)(2) of that section;

(3) Section 28.08, Penal Code, if the offense is punishable under Subsection (b)(2) or (3) of that section;

(3-a) Section 30.05, Penal Code, if the offense is punishable under Subsection (d)(1) of that section;

(4) Section 31.03, Penal Code, if the offense is punishable under Subsection (e)(2)(A) of that section;

(5) Section 31.04, Penal Code, if the offense is punishable under Subsection (e)(2) of that section;

1 (6) Section 38.114, Penal Code, if the offense is
2 punishable as a Class B misdemeanor; or

3 (7) Section 521.457, Transportation Code.

4 SECTION 2. Article 14.06(d), Code of Criminal Procedure, as
5 amended by this Act, applies only to an offense committed on or
6 after the effective date of this Act. An offense committed before
7 the effective date of this Act is governed by the law in effect on
8 the date the offense was committed, and the former law is continued
9 in effect for that purpose. For purposes of this section, an
10 offense was committed before the effective date of this Act if any
11 element of the offense occurred before that date.

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