

By: Wentworth

S. B. No. 1391

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the prosecution and punishment of the offense of
3 criminal trespass.

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

5 SECTION 1. Section 30.05(b), Penal Code, is amended by
6 adding Subdivision (8) to read as follows:

10 SECTION 2. Section 30.05, Penal Code, is amended by
11 amending Subsections (c) and (d) and adding Subsection (k) to read
12 as follows:

13 (c) It is a defense to prosecution under this section that
14 the actor at the time of the offense was:

24 (3) a person who was:

23 (ii) [(B)] on a Superfund site; or

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1 (k) A person commits an offense if without express consent
2 or if without authorization provided by any law, whether in writing
3 or other form, the person:

4 (1) enters or remains on residential land of another;
5 and

6 (2) had notice that the entry was forbidden or
7 received notice to depart but failed to do so.

8 SECTION 3. The change in law made by this Act applies only
9 to an offense committed on or after the effective date of this Act.
10 An offense committed before the effective date of this Act is
11 covered by the law in effect when the offense was committed, and the
12 former law is continued in effect for that purpose. For purposes of
13 this section, an offense was committed before the effective date of
14 this Act if any element of the offense was committed before that
15 date.

16 SECTION 4. This Act takes effect September 1, 2009.