

1-1 By: Creighton S.B. No. 1117  
 1-2 (In the Senate - Filed February 27, 2017; March 7, 2017,  
 1-3 read first time and referred to Committee on Intergovernmental  
 1-4 Relations; May 12, 2017, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;  
 1-6 May 12, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1117 By: Garcia

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the offense of failure to comply with an order from a  
 1-20 fire marshal.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 352.022, Local Government Code, is  
 1-23 amended to read as follows:

1-24 Sec. 352.022. PENALTY FOR FAILURE TO COMPLY WITH ORDER.

1-25 (a) A person ~~[An owner or occupant]~~ who is subject to an order  
 1-26 issued under Section 352.016 commits an offense if that person  
 1-27 fails to comply with the order. Each refusal to comply is a  
 1-28 separate offense.

1-29 (b) Except as provided by Subsection (c) or (d), an ~~[The]~~  
 1-30 offense under this section is a Class C ~~[B]~~ misdemeanor.

1-31 (c) An offense under this section is a Class B misdemeanor  
 1-32 if the commission of the offense results in:

- 1-33 (1) property damage in an amount of \$200 or more; or
- 1-34 (2) bodily injury or death.

1-35 (d) If ~~[unless]~~ it is shown on the trial of the offense that  
 1-36 the defendant has been previously convicted two or more times under  
 1-37 this section, ~~[in which event]~~ the offense is a state jail felony.

1-38 SECTION 2. Section 352.022, Local Government Code, as  
 1-39 amended by this Act, applies only to an offense committed on or  
 1-40 after the effective date of this Act. An offense committed before  
 1-41 the effective date of this Act is governed by the law in effect on  
 1-42 the date the offense was committed, and the former law is continued  
 1-43 in effect for that purpose. For purposes of this section, an  
 1-44 offense was committed before the effective date of this Act if any  
 1-45 element of the offense was committed before that date.

1-46 SECTION 3. This Act takes effect September 1, 2017.

1-47 \* \* \* \* \*