

1-1 By: Birdwell, Eckhardt S.B. No. 872
1-2 (In the Senate - Filed January 22, 2025; February 13, 2025,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 May 5, 2025, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; May 5, 2025, sent to printer.)

1-6	COMMITTEE VOTE			
1-7		Yea	Nay	Absent
1-8	Flores	X		PNV
1-9	Parker	X		
1-10	Hagenbuch	X		
1-11	Hinojosa of Hidalgo	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the punishment for the offense of burglary of a vehicle
1-18 involving theft of a firearm; increasing a criminal penalty.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Sections 30.04(b) and (d), Penal Code, are
1-21 amended to read as follows:

1-22 (b) For purposes of this section:

1-23 (1) "Enter" ~~["enter"]~~ means to intrude:

1-24 (A) ~~[(1)]~~ any part of the body; or

1-25 (B) ~~[(2)]~~ any physical object connected with the

1-26 body.

1-27 (2) "Firearm" has the meaning assigned by Section

1-28 46.01.

1-29 (d) An offense under this section is a Class A misdemeanor,

1-30 except that:

1-31 (1) the offense is a Class A misdemeanor with a minimum

1-32 term of confinement of six months if it is shown on the trial of the

1-33 offense that the defendant has been previously convicted of an

1-34 offense under this section;

1-35 (2) the offense is a state jail felony if:

1-36 (A) it is shown on the trial of the offense that

1-37 the defendant has been previously convicted two or more times of an

1-38 offense under this section; or

1-39 (B) the vehicle or part of the vehicle broken

1-40 into or entered is a rail car; and

1-41 (3) the offense is a felony of the third degree if:

1-42 (A) the vehicle broken into or entered is owned

1-43 or operated by a wholesale distributor of prescription drugs and

1-44 the actor breaks into or enters that vehicle with the intent to

1-45 commit theft of a controlled substance; ~~[or]~~

1-46 (B) it is shown on the trial of the offense that

1-47 the actor committed the offense in the course of committing an

1-48 offense under Section 20.05(a)(2); or

1-49 (C) the actor committed theft of a firearm during

1-50 the commission of the offense.

1-51 SECTION 2. The change in law made by this Act applies only

1-52 to an offense committed on or after the effective date of this Act.

1-53 An offense committed before the effective date of this Act is

1-54 governed by the law in effect on the date the offense was committed,

1-55 and the former law is continued in effect for that purpose. For

1-56 purposes of this section, an offense was committed before the

1-57 effective date of this Act if any element of the offense occurred

1-58 before that date.

1-59 SECTION 3. This Act takes effect September 1, 2025.

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