

By: Lucio III

H. B. No. 279

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to the penalty for theft of a pet.

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

4 SECTION 1. Section 31.01, Penal Code, is amended by adding  
5 Subdivision (15) to read as follows:

12 SECTION 2. Section 31.03(e), Penal Code, is amended to read  
13 as follows:

14 (e) Except as provided by Subsection (f), an offense under  
15 this section is:

16 (1) a Class C misdemeanor if the value of the property  
17 stolen is less than:

18 (A) \$50; or

19 (B) \$20 and the defendant obtained the property  
20 by issuing or passing a check or similar sight order in a manner  
21 described by Section 31.06;

22 (2) a Class B misdemeanor if:

23 (A) the value of the property stolen is:

24 (i) \$50 or more but less than \$500; or

1 (ii) \$20 or more but less than \$500 and the  
2 defendant obtained the property by issuing or passing a check or  
3 similar sight order in a manner described by Section 31.06;

4 (B) the value of the property stolen is less  
5 than:

6 (i) \$50 and the defendant has previously  
7 been convicted of any grade of theft; or

8 (ii) \$20, the defendant has previously been  
9 convicted of any grade of theft, and the defendant obtained the  
10 property by issuing or passing a check or similar sight order in a  
11 manner described by Section 31.06; or

12 (C) the property stolen is a driver's license,  
13 commercial driver's license, or personal identification  
14 certificate issued by this state or another state;

15 (3) a Class A misdemeanor if the value of the property  
16 stolen is \$500 or more but less than \$1,500;

17 (4) a state jail felony if:

18 (A) the value of the property stolen is \$1,500 or  
19 more but less than \$20,000, or the property is less than 10 head of  
20 sheep, swine, or goats or any part thereof under the value of  
21 \$20,000;

22 (B) regardless of value, the property is stolen  
23 from the person of another or from a human corpse or grave,  
24 including property that is a military grave marker;

25 (C) the property stolen is a firearm, as defined  
26 by Section 46.01;

27 (D) the value of the property stolen is less than

1 \$1,500 and the defendant has been previously convicted two or more  
2 times of any grade of theft;

3 (E) the property stolen is an official ballot or  
4 official carrier envelope for an election; [or]

5 (F) the value of the property stolen is less than  
6 \$20,000 and the property stolen is:

7 (i) aluminum;  
8 (ii) bronze;  
9 (iii) copper; or  
10 (iv) brass; or

11 (G) the property stolen is a pet;

12 (5) a felony of the third degree if the value of the  
13 property stolen is \$20,000 or more but less than \$100,000, or the  
14 property is:

15 (A) cattle, horses, or exotic livestock or exotic  
16 fowl as defined by Section 142.001, Agriculture Code, stolen during  
17 a single transaction and having an aggregate value of less than  
18 \$100,000; or

19 (B) 10 or more head of sheep, swine, or goats  
20 stolen during a single transaction and having an aggregate value of  
21 less than \$100,000;

22 (6) a felony of the second degree if:

23 (A) the value of the property stolen is \$100,000  
24 or more but less than \$200,000; or

25 (B) the value of the property stolen is less than  
26 \$200,000 and the property stolen is an automated teller machine or  
27 the contents or components of an automated teller machine; or

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

10 SECTION 4. This Act takes effect September 1, 2013.