

**CHAPTER 352**

**H.B. No. 95**

An Act relating to the aggregation of amounts involved in the offense of criminal mischief.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 28.03, Penal Code, is amended by adding Subsection (e) to read as follows:

*(e) When more than one item of tangible property, belonging to one or more owners, is damaged, destroyed, or tampered with in violation of this section pursuant to one scheme or continuing course of conduct, the conduct may be considered as one offense, and the amounts of pecuniary loss to property resulting from the damage to, destruction of, or tampering with the property may be aggregated in determining the grade of the offense.*

**SECTION 2.** (a) The change in law made by this Act applies only to the aggregation of amounts of property damaged, destroyed, or tampered with if the damage, destruction, or tampering occurs on or after the effective date of this Act.

(b) The aggregation of amounts of property damaged, destroyed, or tampered with before the effective date of this Act is covered by the law in effect when the damage, destruction, or tampering occurred, and the former law is continued in effect for this purpose.

**SECTION 3.** This Act takes effect September 1, 1985.

**SECTION 4.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 30, 1985, by a non-record vote; passed by the Senate on May 17, 1985, by the following vote: Yeas 30, Nays 0.

Approved: June 10, 1985

Effective: September 1, 1985