

CHAPTER 24

H.B. No. 288

AN ACT

relating to criminal trespass on land where crops are grown.

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

SECTION 1. Section 30.05(b)(2), Penal Code, is amended to read as follows:

(2) "Notice" means:

(A) oral or written communication by the owner or someone with apparent authority to act for the owner;

(B) fencing or other enclosure obviously designed to exclude intruders or to contain livestock; ~~[or]~~

(C) a sign or signs posted on the property or at the entrance to the building reasonably likely to come to the attention of intruders, indicating that entry is forbidden;
or

(D) *the visible presence on the property of a crop grown for human consumption that is under cultivation, in the process of being harvested, or marketable if harvested at the time of entry.*

SECTION 2. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for this purpose. For purposes of this section, an offense is committed before the effective date if any element of the offense occurs before the effective date.

SECTION 3. This Act takes effect September 1, 1993.

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 March 4, 1993, by a non-record vote; House concurred in Senate amendments to H.B. No. 288 on March 29, 1993, by a non-record vote; passed by the Senate, with amendments, on March 25, 1993, by a viva-voce vote.

Approved April 6, 1993.

Effective Sept. 1, 1993.