

## **BILL ANALYSIS**

Senate Research Center  
76R229 KLA-D

H.B. 152  
By: Pickett (Shapleigh)  
Criminal Justice  
4/27/1999  
Engrossed

### **DIGEST**

Currently, a person who marks with graffiti on certain types of buildings commits a state jail felony offense. However, the existing statute does not specifically identify schools and institutions of higher education as places covered by current graffiti laws. This bill would specifically include schools, whether public or private, and institutions of higher education among the places on which marking with graffiti constitutes a state jail felony under certain conditions.

### **PURPOSE**

As proposed, H.B. 152 specifically includes schools, whether public or private, and institutions of higher education among the places on which marking with graffiti constitutes a state jail felony under certain conditions.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 28.08(d), Penal Code, to add a school and an institution of higher education to the list of places where, if markings or graffiti occur, the offense is considered to be a state jail felony. Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 28.08(e), Penal Code, by adding Subdivisions (3) and (4), to define “institution of higher education” and “school.”

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.