

## **BILL ANALYSIS**

Senate Research Center  
76R228 KEL-D

H.B. 751  
By: Van de Putte (West)  
Criminal Justice  
5/7/1999  
Engrossed

### **DIGEST**

Currently, the law states that graffiti is an offense; provides consequences for engaging in conduct described as an offense; and regulates customers' access to aerosol paint. H.B. 751 would set forth provisions for the prosecution of the offense of graffiti.

### **PURPOSE**

As proposed, H.B. 751 sets forth provisions for the prosecution of the offense of graffiti.

### **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 Sections 28.08(a) and (e), Penal Code, to provide that a person commits an offense if, without the effective consent of the owner, the person intentionally or knowingly makes certain markings on the tangible property of the owner with certain aerosol paint or marking devices. Defines "etching or engraving device." Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.