

BILL ANALYSIS

Senate Research Center
79R3925 RMB-F

S.B. 304
By: Armbrister
Criminal Justice
4/8/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

S.B. 304 strengthens current law regarding criminal trespass for the express purpose of ensuring that campground owners have the tools necessary to remove persons violating stated park rules and to ensure persons do not subvert current criminal trespass laws.

S.B. 304 amends Section 30.05, Penal Code, to include that trespassing on campground property, also defined as recreational vehicle park property, with the proper notification, is considered an offense of a Class B misdemeanor, except that it is a Class A misdemeanor if the person trespasses in a habitation, shelter center, or superfund site, or if the person carries a deadly weapon.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 30.05(a), Penal Code, to provide that a person commits an offense if he enters or remains on or in property, including a recreational vehicle park and an aircraft or other vehicle, of another without effective consent and had notice that the entry was forbidden or received notice to depart and failed to do so.

SECTION 2. Amends Section 30.05(b), Penal Code, by adding Subdivision (7), to define "recreational vehicle park."

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2005.