

BILL ANALYSIS

Senate Research Center

S.B. 112
By: Haywood
Criminal Justice
2-10-97
As Filed

DIGEST

Currently, Texas law provides that the theft of oilfield equipment valued up to \$20,000 is a fourth degree felony, punishable by probation and possible jail time. This bill would mandate confinement in a state jail felony facility for a defendant convicted of stealing oilfield equipment.

PURPOSE

As proposed, S.B. 112 requires a judge to require a defendant convicted of theft punishable as a state jail felony under Section 31.03, Penal Code, and the property stolen is oilfield or related equipment, to submit to a term of confinement in a state jail felony facility at the beginning of a period of community supervision.

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 15(d), Article 42.12, Code of Criminal Procedure, to require a judge to impose as a condition of community supervision that a defendant submit at the beginning of the period of community supervision to a term of confinement in a state jail felony facility for a term of not less than 90 days or more than one year if the defendant is convicted of an offense punishable as a state jail felony under Section 31.03, Penal Code, and the property stolen is equipment designed for use in exploration for or production of natural gas or crude petroleum oil or equipment designed for use in remedial or diagnostic operation on gas or crude petroleum oil wells. Prohibits a judge from requiring a defendant to submit to both the term of confinement authorized or required by this subsection and a term of confinement under Section 5 or 12 of this article.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.