

## **BILL ANALYSIS**

Senate Research Center  
77R5289 GWK-F

C.S.S.B. 437  
By: Staples  
Criminal Justice  
3/1/2001  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, local police departments are without statutory authority to assist lodging properties with individuals who hold over and refuse to vacate a hotel room. C.S.S.B. 437 makes such holdover activity a criminal offense once notice is given and the occupant continues to refuse to vacate the room.

### **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 31.04, Penal Code, by amending Subsection (a) and adding Subsection (g), to provide that a person commits theft of service if, with intent to avoid payment for service that the person knows is provided only for compensation, he or she intentionally or knowingly agrees to provide compensation and, after the service is rendered, fails to provide payment upon demand.

SECTION 2. Effective date: September 1, 2001.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1. Amends As Filed S.B. 437, Section 31.04, Penal Code, as follows:

- Deletes proposed SECTION 1. Redesignates proposed SECTION 2 to SECTION 1.
- Deletes previously proposed language and adds text regarding a person who intentionally or knowingly agrees to provide compensation and fails to provide payment.

SECTION 2. Redesignates SECTION 3 to SECTION 2.