

1-1 By: Whitmire, Huffman S.B. No. 827
1-2 (In the Senate - Filed February 26, 2013; March 5, 2013, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 18, 2013, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; April 18, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Carona	X		
1-11	Hinojosa	X		
1-12	Patrick	X		
1-13	Rodriguez	X		
1-14	Schwertner		X	

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the fraudulent use of identifying information by
1-18 certain sex offenders; providing criminal penalties.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Article 62.102, Code of Criminal Procedure, is
1-21 amended by adding Subsection (d) to read as follows:

1-22 (d) If it is shown at the trial of a person for an offense
1-23 under this article or an attempt to commit an offense under this
1-24 article that the person fraudulently used identifying information
1-25 in violation of Section 32.51, Penal Code, during the commission or
1-26 attempted commission of the offense, the punishment for the offense
1-27 or the attempt to commit the offense is increased to the punishment
1-28 for the next highest degree of felony.

1-29 SECTION 2. Subsection (c-1), Section 32.51, Penal Code, is
1-30 amended to read as follows:

1-31 (c-1) An offense described for purposes of punishment by
1-32 Subsections (c)(1)-(3) is increased to the next higher category of
1-33 offense if it is shown on the trial of the offense that:

1-34 (1) the offense was committed against an elderly
1-35 individual as defined by Section 22.04; or

1-36 (2) the actor fraudulently used identifying
1-37 information with the intent to facilitate an offense under Article
1-38 62.102, Code of Criminal Procedure.

1-39 SECTION 3. The change in law made by this Act applies only
1-40 to an offense committed on or after the effective date of this Act.
1-41 An offense committed before the effective date of this Act is
1-42 governed by the law in effect on the date the offense was committed,
1-43 and the former law is continued in effect for that purpose. For
1-44 purposes of this section, an offense was committed before the
1-45 effective date of this Act if any element of the offense occurred
1-46 before that date.

1-47 SECTION 4. This Act takes effect September 1, 2013.

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