

1-1 By: Meyer, et al. (Senate Sponsor - Zaffirini) H.B. No. 2697
 1-2 (In the Senate - Received from the House April 24, 2019;
 1-3 April 25, 2019, read first time and referred to Committee on
 1-4 Business & Commerce; May 6, 2019, reported favorably by the
 1-5 following vote: Yeas 8, Nays 0; May 6, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the prosecution of the offense of fraudulent use or
 1-20 possession of identifying information.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 502.001(c), Business & Commerce Code, is
 1-23 amended to read as follows:

1-24 (c) A restaurant or bar owner shall display in a prominent
 1-25 place on the premises of the restaurant or bar a sign stating in
 1-26 letters at least one-half inch high: "UNDER SECTION 32.51, PENAL
 1-27 CODE, IT IS A STATE JAIL FELONY (PUNISHABLE BY CONFINEMENT IN A
 1-28 STATE JAIL FOR NOT MORE THAN TWO YEARS) TO OBTAIN, POSSESS,
 1-29 TRANSFER, OR USE A CUSTOMER'S DEBIT CARD OR CREDIT CARD NUMBER
 1-30 WITHOUT THE CUSTOMER'S CONSENT OR EFFECTIVE CONSENT."

1-31 SECTION 2. Section 32.51(b), Penal Code, is amended to read
 1-32 as follows:

1-33 (b) A person commits an offense if the person, with the
 1-34 intent to harm or defraud another, obtains, possesses, transfers,
 1-35 or uses an item of:

1-36 (1) identifying information of another person without
 1-37 the other person's consent or effective consent;

1-38 (2) information concerning a deceased natural person,
 1-39 including a stillborn infant or fetus, that would be identifying
 1-40 information of that person were that person alive, if the item of
 1-41 information is obtained, possessed, transferred, or used without
 1-42 legal authorization; or

1-43 (3) identifying information of a child younger than 18
 1-44 years of age.

1-45 SECTION 3. The change in law made by this Act applies only
 1-46 to an offense committed on or after the effective date of this Act.
 1-47 An offense committed before the effective date of this Act is
 1-48 governed by the law in effect on the date the offense was committed,
 1-49 and the former law is continued in effect for that purpose. For
 1-50 purposes of this section, an offense was committed before the
 1-51 effective date of this Act if any element of the offense occurred
 1-52 before that date.

1-53 SECTION 4. This Act takes effect September 1, 2019.

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