

1-1 By: Turner, Raney (Senate Sponsor - Whitmire) H.B. No. 1826
 1-2 (In the Senate - Received from the House May 1, 2023;
 1-3 May 2, 2023, read first time and referred to Committee on Criminal
 1-4 Justice; May 11, 2023, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 11, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Whitmire	X			
1-8 Flores	X			
1-9 Bettencourt			X	
1-10 Hinojosa	X			
1-11 Huffman	X			
1-12 King	X			
1-13 Miles	X			

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

1-17 relating to the establishment of an organized retail theft task
 1-18 force.

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

1-20 SECTION 1. Subchapter B, Chapter 403, Government Code, is
 1-21 amended by adding Section 403.0302 to read as follows:

1-22 Sec. 403.0302. ORGANIZED RETAIL THEFT TASK FORCE. (a) In
 1-23 this section, "organized retail theft" means conduct constituting
 1-24 an offense under Section 31.16, Penal Code.

1-25 (b) The comptroller shall appoint a task force to study and
 1-26 make recommendations related to preventing organized retail theft
 1-27 in this state.

1-28 (c) The task force must include:

1-29 (1) at least one representative from a retailer with a
 1-30 physical retail location;

1-31 (2) at least one representative from an online
 1-32 retailer; and

1-33 (3) representatives from local, state, and federal law
 1-34 enforcement agencies.

1-35 (d) The comptroller shall designate a member of the task
 1-36 force as the presiding officer.

1-37 (e) The task force shall meet at least quarterly at the call
 1-38 of the presiding officer. A task force meeting may be conducted
 1-39 virtually through the Internet.

1-40 (f) The task force shall conduct an ongoing study of
 1-41 organized retail theft in this state. In conducting the study the
 1-42 task force shall:

1-43 (1) review laws and regulations addressing organized
 1-44 retail theft in other jurisdictions, including international
 1-45 political and economic organizations;

1-46 (2) analyze:

1-47 (A) the impact of organized retail theft on the
 1-48 collection of sales tax;

1-49 (B) the long-term economic impacts of organized
 1-50 retail theft; and

1-51 (C) the advantages and disadvantages of taking
 1-52 various actions to reduce organized retail theft; and

1-53 (3) make recommendations regarding:

1-54 (A) organized retail theft outreach and
 1-55 prevention programs, including coordination among stakeholders,
 1-56 including local, state, and federal law enforcement agencies; and

1-57 (B) training for law enforcement officers and
 1-58 prosecutors on effective strategies for combating organized retail
 1-59 theft.

1-60 (g) In conducting the study under Subsection (f), the
 1-61 members of the task force may:

2-1 (1) consult with any organization, governmental
2-2 entity, or person the task force considers necessary; and

2-3 (2) collaborate and share information relating to an
2-4 active criminal investigation with one another regardless of
2-5 whether the information would otherwise be confidential and not
2-6 subject to disclosure under Chapter 552.

2-7 (h) Not later than December 1 of each even-numbered year,
2-8 the task force shall prepare and submit a report of the study
2-9 conducted under Subsection (f) to the governor, the lieutenant
2-10 governor, the speaker of the house of representatives, the
2-11 comptroller, and each standing committee of the legislature with
2-12 primary jurisdiction over criminal justice matters.

2-13 (i) The report submitted under Subsection (h):

2-14 (1) must include legislative and other
2-15 recommendations to increase transparency, improve security,
2-16 enhance consumer protections, prevent organized retail theft, and
2-17 address the long-term economic impact of organized retail theft;
2-18 and

2-19 (2) may be submitted electronically.

2-20 (j) Chapter 2110 does not apply to the duration of the task
2-21 force or to the designation of the task force's presiding officer.

2-22 SECTION 2. As soon as practicable after the effective date
2-23 of this Act, the comptroller of public accounts shall appoint the
2-24 organized retail theft task force as required by Section 403.0302,
2-25 Government Code, as added by this Act.

2-26 SECTION 3. This Act takes effect September 1, 2023.

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