

BILL ANALYSIS

H.B. 883
By: Thierry
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that, while recent legislation may have improved cybersecurity for people over the age of 65 with regard to banks and financial institutions, Internet-based fraud remains prevalent and has continued to target that population. H.B. 883 seeks to address these concerns by allowing a court discretion to award treble damages in a civil action for internet fraud if the victim is a member of that age group.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 883 amends the Business & Commerce Code to authorize the court in which a civil action under the Anti-Phishing Act is brought to increase the amount of an award of actual damages in the action to an amount not to exceed three times the actual damages sustained if the court finds that the violation adversely affected an individual who is 65 years of age or older.

EFFECTIVE DATE

September 1, 2019.