

**SUBJECT:** Increasing the penalty for tampering with certain government records

**COMMITTEE:** General Investigating and Ethics — favorable, without amendment

**VOTE:** 6 ayes — S. Davis, Moody, Capriglione, Nevárez, Shine, Turner  
0 nays  
1 absent — Price

**WITNESSES:** For — (*Registered, but did not testify*: Joanne Richards, Common Ground for Texans; Carol Birch, Public Citizen Texas; Lon Burnam; Hamilton Richards)  
Against — None  
On — (*Registered, but did not testify*: Nadine Phillpotts, Comptroller of Public Accounts)

**BACKGROUND:** Penal Code, sec. 37.10 makes tampering with a government record a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000), with some exceptions. Observers suggest that certain state agencies may experience payroll discrepancies and that increased penalties could deter such activities and help ensure proper stewardship of the taxpayers' money.

**DIGEST:** HB 2755 would make tampering with a governmental payroll document that requested payment or compensation to a state officer or employee a state-jail felony (180 days to two years in a state jail and an optional fine of up to \$10,000).  
  
The bill would take effect September 1, 2017, and would apply only to an offense committed on or after the effective date.

**NOTES:** A companion bill, SB 2019 by Creighton, was referred to the Senate Criminal Justice committee on March 27.