

BILL ANALYSIS

Senate Research Center

S.B. 124
By: Bivins
Jurisprudence
1-24-97
As Filed

DIGEST

Currently, Texas law does not provide for any offenses relating to fraudulent court records. In recent years, anti-government factions have invented "self-styled" courts and have filed fraudulent "judgments," pleadings, and other records and documents in the county courts of Texas. These fraudulent documents have overwhelmed the already overloaded courts and forced state and local governments to accumulate large legal bills in defending themselves from illegitimate claims. S.B. 124 sets forth terms and outlines provisions for the creation of an offense for using, making, or presenting a false court record.

PURPOSE

As proposed, S.B. 124 sets forth terms and provisions for the creation of an offense for using, making, or presenting a false court record.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 37.01, Penal Code, to define "court record" and make conforming changes.

SECTION 2. Amends Chapter 37, Penal Code, by adding Section 37.13, as follows:

Sec. 37.13. FRAUDULENT COURT RECORD. Provides that a person commits a Class A misdemeanor if the person makes, presents, or uses any record, document, or thing (record) with knowledge that the record is not a genuine court record and with intent that the record be given the same legal effect as a genuine court record.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.