

BILL ANALYSIS

Senate Research Center

S.B. 1834
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Criminal Justice
4-15-97
As Filed

DIGEST

Currently, the Texas anti-money laundering provisions in the Penal Code do not allow aggregation of laundered funds. This means a criminal can launder criminal proceeds in several small increments and never commit an offense more serious than a third degree felony, despite the fact that the individual may have laundered millions in illegal profits during the course of the individual's criminal career. The current system also results in multiple trials which are expensive and further clog Texas court dockets. This bill will authorize aggregation of illegal proceeds in determining the seriousness of an offense.

PURPOSE

As proposed, S.B. 1834 authorizes aggregation of illegal proceeds in determining the seriousness of an offense.

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 34.01, Penal Code, to redefine "proceeds" to include funds whose aggregate nature have been altered or concealed by criminal activity.

SECTION 2. Amends Section 34.02, Penal Code, to authorize conduct to be considered as one offense and the amounts aggregated in determining the grade of the offense when proceeds, whether the same or similar sources, are obtained pursuant to one scheme or a continuing course of conduct.

SECTION 3. Severability clause.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.