

BILL ANALYSIS

Senate Research Center
76R8863 PEP-D

H.B. 153
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Criminal Justice
5/7/1999
Engrossed

DIGEST

Currently, individuals using other persons' identification without permission has become a problem. All incidents under a person's name are kept on record as to allow law enforcement agencies to track violators, even when the violator uses another person's identification. This bill would establish a procedure to prevent the fraudulent use of an individual's identification in circumstances affecting proper law enforcement.

PURPOSE

As proposed, H.B. 153 establishes a procedure to prevent the fraudulent use of an individual's identification in circumstances affecting proper law enforcement.

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 Chapter 411D, Government Code, by adding Section 411.0421, as follows:

Sec. 411.0421. INFORMATION REGARDING FRAUDULENT USE OF IDENTIFICATION. Requires the Department of Public Safety (DPS) to create a record of each individual who, in conjunction with a state attorney and sheriff, signs a declaration that the individual's identity has been used by another person without consent and files the declaration with DPS. Requires a declaration filed under this section to include certain information relating to the identity of the individual. Requires DPS to create a record of the individual's identity in the criminal history record information maintained by DPS under Subchapter F. Requires DPS to ensure that such a record is available online to any criminal justice agency authorized to receive information from DPS under Subchapter F.

SECTION 2. Amends Chapter 60, Code of Criminal Procedure, by adding Article 60.19, as follows:

Art. 60.19. INFORMATION RELATED TO MISUSED IDENTITY. Requires DPS to separate information maintained in the computerized criminal history system regarding an individual whose identity has been misused from information maintained in that system regarding the person who misused the identity, on receipt of a declaration under Section 411.0421, Government Code, or similar information.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.