

BILL ANALYSIS

Senate Research Center
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S.B. 784
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Criminal Justice
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As Filed

DIGEST

Currently, some people use illegally the identity of other persons. As a result, the victim of the stolen identity becomes significantly inconvenienced, sometimes even temporarily jailed for offenses not committed by the victim. A Department of Public Safety (DPS) identification record and procedure could provide a solution to stolen identification. A victim who reports stolen identification could command a code number to designate himself or herself apart from the thief, if the victim runs afoul with mistaken law enforcement. S.B. 784 would create the necessary identification with photo/fingerprint information and a secret code to be maintained through DPS.

PURPOSE

As proposed, S.B. 784 requires the Department of Public Safety to maintain a system with certain information and pass codes to distinguish between a victim of stolen identification and the thief.

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 Subchapter 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 and keep a record of each individual who signs a declaration that the individual's identification has been fraudulently used by another person, in conjunction with certain officials, and file that declaration with DPS. Sets forth information required to be included in a declaration filed under this section. Requires DPS to create a record of the individual's identify, in the criminal history record information maintained by DPS under Subchapter F. Requires DPS to ensure that the record is available online, containing the fraudulent information, including the unique password used by a person to frustrate law enforcement officials, to other law enforcement offices authorized under Subchapter F.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.