

BILL ANALYSIS

Senate Research Center

H.B. 325
By: McCall (Estes)
Criminal Justice
5/22/2003
Engrossed

DIGEST AND PURPOSE

Under current law, the penalty for providing false information to a peace officer is a Class C misdemeanor. The current language of Penal Code Section 38.02 does not take into account the prevalence or severity of identity theft. H.B. 325 increases the penalty for providing false information to a peace officer.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 38.02(c) and (d), Penal Code, as follows:

(c) Provides that, except as provided by Subsection (d), an offense under this section is a Class C misdemeanor if the offense is committed under Subsection (a) or a Class B misdemeanor if the offense is committed under Subsection (b).

(d) Provides that if it is shown on the trial of an offense under this section that the defendant was a fugitive from justice at the time of the offense, the offense is a Class B misdemeanor if the offense is committed under Subsection (a) or a Class A misdemeanor if the offense is committed under Subsection (b).

SECTION 2. Effective date: September 1, 2003.
Makes application of this Act prospective.