

BILL ANALYSIS

Senate Research Center
79R2834 HLT-D

S.B. 1267
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Criminal Justice
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 1267 requires pawn shops to take and store electronic photographs of individuals selling merchandise. Currently, only a physical description of the person is required, along with the name, address, and an identification number, such as a driver's license number, all of which can be falsified. A photographic record may help identify individuals selling stolen merchandise at pawn shops.

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 Section 31.03(c), Penal Code, to provide that an actor engaged in the business of buying and selling used or secondhand personal property, or lending money on the security of personal property deposited with the actor, is presumed to know upon receipt by the actor of stolen property, other than a motor vehicle, that the property has been previously stolen from another if the actor pays for or loans against the property \$25 or more (or consideration of equivalent value), and the actor knowingly or recklessly fails to take, among other things, a photograph by electronic means of the seller or pledger, and fails to take an identification number, rather than a physical description or identification number, of the seller or pledger.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.