

AN ACT

relating to temporary vehicle tags and the offense of tampering with a governmental record.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 14.06(d), Code of Criminal Procedure, is amended to read as follows:

(d) Subsection (c) applies only to a person charged with committing an offense under:

(1) Section 481.121, Health and Safety Code, if the offense is punishable under Subsection (b)(1) or (2) of that section;

(1-a) Section 481.1161, Health and Safety Code, if the offense is punishable under Subsection (b)(1) or (2) of that section;

(2) Section 28.03, Penal Code, if the offense is punishable under Subsection (b)(2) of that section;

(3) Section 28.08, Penal Code, if the offense is punishable under Subsection (b)(2) or (3) of that section;

(4) Section 31.03, Penal Code, if the offense is punishable under Subsection (e)(2)(A) of that section;

(5) Section 31.04, Penal Code, if the offense is punishable under Subsection (e)(2) of that section;

(5-a) Section 37.10, Penal Code, if the offense is for tampering with a temporary tag issued under Chapter 502 or 503,

1 Transportation Code;

2 (6) Section 38.114, Penal Code, if the offense is
3 punishable as a Class B misdemeanor; or

4 (7) Section 521.457, Transportation Code.

5 SECTION 2. Section 37.01(2), Penal Code, is amended to read
6 as follows:

7 (2) "Governmental record" means:

8 (A) anything belonging to, received by, or kept
9 by government for information, including a court record;

10 (B) anything required by law to be kept by others
11 for information of government;

12 (C) a license, certificate, permit, seal, title,
13 letter of patent, or similar document issued by government, by
14 another state, or by the United States;

15 (D) a standard proof of motor vehicle liability
16 insurance form described by Section 601.081, Transportation Code, a
17 certificate of an insurance company described by Section 601.083 of
18 that code, a document purporting to be such a form or certificate
19 that is not issued by an insurer authorized to write motor vehicle
20 liability insurance in this state, an electronic submission in a
21 form described by Section 502.046(i), Transportation Code, or an
22 evidence of financial responsibility described by Section 601.053
23 of that code;

24 (E) an official ballot or other election record;

25 [~~or~~]

26 (F) the written documentation a mobile food unit
27 is required to obtain under Section 437.0074, Health and Safety

1 Code; or

2 (G) a temporary tag issued under Chapter 502 or
3 503, Transportation Code.

4 SECTION 3. Section 37.10(c), Penal Code, is amended by
5 amending Subdivision (1) and adding Subdivision (6) to read as
6 follows:

7 (1) Except as provided by Subdivisions (2), (3), (4),
8 ~~[and]~~ (5), and (6), and by Subsection (d), an offense under this
9 section is a Class A misdemeanor unless the actor's intent is to
10 defraud or harm another, in which event the offense is a state jail
11 felony.

12 (6) An offense under this section is a Class A
13 misdemeanor if the governmental record is a temporary tag issued
14 under Chapter 502 or 503, Transportation Code.

15 SECTION 4. The changes in law made by this Act apply only to
16 an offense committed on or after the effective date of this Act. An
17 offense committed before the effective date of this Act is governed
18 by the law in effect on the date the offense was committed, and the
19 former law is continued in effect for that purpose. For purposes of
20 this section, an offense was committed before the effective date of
21 this Act if any element of the offense occurred before that date.

22 SECTION 5. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 914 was passed by the House on April 11, 2023, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 914 was passed by the Senate on May 9, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor