

1-1 By: Hefner, et al. (Senate Sponsor - Whitmire) H.B. No. 914
 1-2 (In the Senate - Received from the House April 11, 2023;
 1-3 April 13, 2023, read first time and referred to Committee on
 1-4 Criminal Justice; May 3, 2023, reported favorably by the following
 1-5 vote: Yeas 5, Nays 0; May 3, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14			X	

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to temporary vehicle tags and the offense of tampering
 1-18 with a governmental record.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Article 14.06(d), Code of Criminal Procedure, is
 1-21 amended to read as follows:

1-22 (d) Subsection (c) applies only to a person charged with
 1-23 committing an offense under:

1-24 (1) Section 481.121, Health and Safety Code, if the
 1-25 offense is punishable under Subsection (b)(1) or (2) of that
 1-26 section;

1-27 (1-a) Section 481.1161, Health and Safety Code, if the
 1-28 offense is punishable under Subsection (b)(1) or (2) of that
 1-29 section;

1-30 (2) Section 28.03, Penal Code, if the offense is
 1-31 punishable under Subsection (b)(2) of that section;

1-32 (3) Section 28.08, Penal Code, if the offense is
 1-33 punishable under Subsection (b)(2) or (3) of that section;

1-34 (4) Section 31.03, Penal Code, if the offense is
 1-35 punishable under Subsection (e)(2)(A) of that section;

1-36 (5) Section 31.04, Penal Code, if the offense is
 1-37 punishable under Subsection (e)(2) of that section;

1-38 (5-a) Section 37.10, Penal Code, if the offense is for
 1-39 tampering with a temporary tag issued under Chapter 502 or 503,
 1-40 Transportation Code;

1-41 (6) Section 38.114, Penal Code, if the offense is
 1-42 punishable as a Class B misdemeanor; or

1-43 (7) Section 521.457, Transportation Code.

1-44 SECTION 2. Section 37.01(2), Penal Code, is amended to read
 1-45 as follows:

1-46 (2) "Governmental record" means:

1-47 (A) anything belonging to, received by, or kept
 1-48 by government for information, including a court record;

1-49 (B) anything required by law to be kept by others
 1-50 for information of government;

1-51 (C) a license, certificate, permit, seal, title,
 1-52 letter of patent, or similar document issued by government, by
 1-53 another state, or by the United States;

1-54 (D) a standard proof of motor vehicle liability
 1-55 insurance form described by Section 601.081, Transportation Code, a
 1-56 certificate of an insurance company described by Section 601.083 of
 1-57 that code, a document purporting to be such a form or certificate
 1-58 that is not issued by an insurer authorized to write motor vehicle
 1-59 liability insurance in this state, an electronic submission in a
 1-60 form described by Section 502.046(i), Transportation Code, or an
 1-61 evidence of financial responsibility described by Section 601.053

2-1 of that code;
 2-2 (E) an official ballot or other election record;
 2-3 [~~or~~]
 2-4 (F) the written documentation a mobile food unit
 2-5 is required to obtain under Section 437.0074, Health and Safety
 2-6 Code; or
 2-7 (G) a temporary tag issued under Chapter 502 or
 2-8 503, Transportation Code.

2-9 SECTION 3. Section 37.10(c), Penal Code, is amended by
 2-10 amending Subdivision (1) and adding Subdivision (6) to read as
 2-11 follows:

2-12 (1) Except as provided by Subdivisions (2), (3), (4),
 2-13 [~~and~~] (5), and (6), and by Subsection (d), an offense under this
 2-14 section is a Class A misdemeanor unless the actor's intent is to
 2-15 defraud or harm another, in which event the offense is a state jail
 2-16 felony.

2-17 (6) An offense under this section is a Class A
 2-18 misdemeanor if the governmental record is a temporary tag issued
 2-19 under Chapter 502 or 503, Transportation Code.

2-20 SECTION 4. The changes in law made by this Act apply only to
 2-21 an offense committed on or after the effective date of this Act. An
 2-22 offense committed before the effective date of this Act is governed
 2-23 by the law in effect on the date the offense was committed, and the
 2-24 former law is continued in effect for that purpose. For purposes of
 2-25 this section, an offense was committed before the effective date of
 2-26 this Act if any element of the offense occurred before that date.

2-27 SECTION 5. This Act takes effect September 1, 2023.

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