

By: Perez

H.B. No. 2087

A BILL TO BE ENTITLED

AN ACT

relating to the financial crimes intelligence center.

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

SECTION 1. Section 2312.001, Occupations Code, is amended by adding Subdivisions (4-a) and (4-b) and amending Subdivision (5) to read as follows:

(4-a) "Motor fuel manipulation device" means a mechanism manufactured, assembled, or adapted to manipulate or alter a motor fuel metering device or a motor fuel unattended payment terminal for an unlawful purpose.

(4-b) "Motor fuel theft" means an act that:

(A) constitutes an offense under Section 31.03, Penal Code; and

(B) qualifies for an affirmative finding of motor fuel theft under Article 42.019, Code of Criminal Procedure.

(5) "Skimmer" means an electronic, mechanical, or other device that may be used to unlawfully intercept electronic communications or data to perpetrate card fraud. The term includes a credit card shimmer.

SECTION 2. Section 2312.052, Occupations Code, is amended to read as follows:

Sec. 2312.052. PURPOSES OF CENTER. The purposes of the center are to:

(1) serve as the state's primary entity for the

1 planning, coordination, and integration of law enforcement
2 agencies and other governmental agencies that respond to criminal
3 activity related to card fraud, including through the use of
4 skimmers, and motor fuel theft; and

5 (2) maximize the ability of the department, law
6 enforcement agencies, and other governmental agencies to detect,
7 prevent, and respond to criminal activities related to card fraud
8 and motor fuel theft.

9 SECTION 3. Section [2312.054](#), Occupations Code, is amended
10 by amending Subsections (b) and (c) and adding Subsection (b-1) to
11 read as follows:

12 (b) The center shall assist law enforcement agencies, other
13 governmental agencies, financial institutions, credit card
14 issuers, debit card issuers, payment card networks, institutions of
15 higher education, and merchants in their efforts to develop and
16 implement strategies to:

17 (1) detect skimmers and motor fuel manipulation
18 devices;

19 (2) ensure an effective response if a skimmer or motor
20 fuel manipulation device is found; and

21 (3) prevent card fraud and motor fuel theft.

22 (b-1) On request of a law enforcement or other governmental
23 agency, the center may provide assistance to that agency regarding
24 any matter within the center's expertise.

25 (c) The center may:

26 (1) serve as a centralized collection point for
27 information related to card fraud and motor fuel theft;

1 (2) provide training and educational opportunities to
2 law enforcement;

3 (3) provide outreach to the public; and

4 (4) release information to affected financial
5 institutions, credit card issuers, debit card issuers, payment card
6 networks, institutions of higher education, and merchants if the
7 center does not consider the information to be sensitive to law
8 enforcement.

9 SECTION 4. Section [2312.055\(b\)](#), Occupations Code, is
10 amended to read as follows:

11 (b) The report must include:

12 (1) a plan of operation for the center and an estimate
13 of the amount of money necessary to implement that plan;

14 (2) an assessment of the current state of card fraud
15 and motor fuel theft in this state, including:

16 (A) an identification of the geographic
17 locations in this state that have the highest statistical
18 probability for card fraud and motor fuel theft; and

19 (B) a summary of card fraud and motor fuel theft
20 statistics for the year in which the report is filed;

21 (3) a detailed plan of operation for combatting card
22 fraud and motor fuel theft;

23 (4) a communications plan for outreach to law
24 enforcement agencies, financial institutions, credit card issuers,
25 debit card issuers, payment card networks, merchants, and the
26 public; and

27 (5) a list of expenditures made since the most recent

1 report was filed with the department.

2 SECTION 5. Section 2312.102(b), Occupations Code, is
3 amended to read as follows:

4 (b) A grant recipient may use grant money to:

5 (1) reduce card fraud by removing skimmers;

6 (2) purchase or upgrade fraud deterrence equipment,
7 including unique locking systems, cameras, and lights;

8 (3) provide training opportunities regarding
9 skimmers; and

10 (4) conduct public outreach regarding card fraud and
11 motor fuel theft.

12 SECTION 6. This Act takes effect September 1, 2023.