

1-1 By: Perez (Senate Sponsor - Zaffirini) H.B. No. 2087
1-2 (In the Senate - Received from the House May 3, 2023;
1-3 May 4, 2023, read first time and referred to Committee on Criminal
1-4 Justice; May 19, 2023, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>Whitmire</u>	X		
1-9	<u>Flores</u>	X		
1-10	<u>Bettencourt</u>	X		
1-11	<u>Hinojosa</u>	X		
1-12	<u>Huffman</u>	X		
1-13	<u>King</u>	X		
1-14	<u>Miles</u>	X		

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

1-17 relating to the financial crimes intelligence center.
1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-19 SECTION 1. Section 2312.001, Occupations Code, is amended
1-20 by adding Subdivisions (4-a) and (4-b) and amending Subdivision (5)
1-21 to read as follows:
1-22 (4-a) "Motor fuel manipulation device" means a
1-23 mechanism manufactured, assembled, or adapted to manipulate or
1-24 alter a motor fuel metering device or a motor fuel unattended
1-25 payment terminal for an unlawful purpose.
1-26 (4-b) "Motor fuel theft" means an act that:
1-27 (A) constitutes an offense under Section 31.03,
1-28 Penal Code; and
1-29 (B) qualifies for an affirmative finding of motor
1-30 fuel theft under Article 42.019, Code of Criminal Procedure.
1-31 (5) "Skimmer" means an electronic, mechanical, or
1-32 other device that may be used to unlawfully intercept electronic
1-33 communications or data to perpetrate card fraud. The term includes
1-34 a credit card shimmer.
1-35 SECTION 2. Section 2312.052, Occupations Code, is amended
1-36 to read as follows:
1-37 Sec. 2312.052. PURPOSES OF CENTER. The purposes of the
1-38 center are to:
1-39 (1) serve as the state's primary entity for the
1-40 planning, coordination, and integration of law enforcement
1-41 agencies and other governmental agencies that respond to criminal
1-42 activity related to card fraud, including through the use of
1-43 skimmers, and motor fuel theft; and
1-44 (2) maximize the ability of the department, law
1-45 enforcement agencies, and other governmental agencies to detect,
1-46 prevent, and respond to criminal activities related to card fraud
1-47 and motor fuel theft.
1-48 SECTION 3. Section 2312.054, Occupations Code, is amended
1-49 by amending Subsections (b) and (c) and adding Subsection (b-1) to
1-50 read as follows:
1-51 (b) The center shall assist law enforcement agencies, other
1-52 governmental agencies, financial institutions, credit card
1-53 issuers, debit card issuers, payment card networks, institutions of
1-54 higher education, and merchants in their efforts to develop and
1-55 implement strategies to:
1-56 (1) detect skimmers and motor fuel manipulation
1-57 devices;
1-58 (2) ensure an effective response if a skimmer or motor
1-59 fuel manipulation device is found; and
1-60 (3) prevent card fraud and motor fuel theft.
1-61 (b-1) On request of a law enforcement or other governmental

2-1 agency, the center may provide assistance to that agency regarding
2-2 any matter within the center's expertise.

2-3 (c) The center may:

2-4 (1) serve as a centralized collection point for
2-5 information related to card fraud and motor fuel theft;

2-6 (2) provide training and educational opportunities to
2-7 law enforcement;

2-8 (3) provide outreach to the public; and

2-9 (4) release information to affected financial
2-10 institutions, credit card issuers, debit card issuers, payment card
2-11 networks, institutions of higher education, and merchants if the
2-12 center does not consider the information to be sensitive to law
2-13 enforcement.

2-14 SECTION 4. Section 2312.055(b), Occupations Code, is
2-15 amended to read as follows:

2-16 (b) The report must include:

2-17 (1) a plan of operation for the center and an estimate
2-18 of the amount of money necessary to implement that plan;

2-19 (2) an assessment of the current state of card fraud
2-20 and motor fuel theft in this state, including:

2-21 (A) an identification of the geographic
2-22 locations in this state that have the highest statistical
2-23 probability for card fraud and motor fuel theft; and

2-24 (B) a summary of card fraud and motor fuel theft
2-25 statistics for the year in which the report is filed;

2-26 (3) a detailed plan of operation for combatting card
2-27 fraud and motor fuel theft;

2-28 (4) a communications plan for outreach to law
2-29 enforcement agencies, financial institutions, credit card issuers,
2-30 debit card issuers, payment card networks, merchants, and the
2-31 public; and

2-32 (5) a list of expenditures made since the most recent
2-33 report was filed with the department.

2-34 SECTION 5. Section 2312.102(b), Occupations Code, is
2-35 amended to read as follows:

2-36 (b) A grant recipient may use grant money to:

2-37 (1) reduce card fraud by removing skimmers;

2-38 (2) purchase or upgrade fraud deterrence equipment,
2-39 including unique locking systems, cameras, and lights;

2-40 (3) provide training opportunities regarding
2-41 skimmers; and

2-42 (4) conduct public outreach regarding card fraud and
2-43 motor fuel theft.

2-44 SECTION 6. This Act takes effect September 1, 2023.

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