

By: Perez

H.B. No. 3852

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of fraudulent use or possession of credit card or debit card information.

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

SECTION 1. Chapter 13, Code of Criminal Procedure, is amended by adding Article 13.292 to read as follows:

Art. 13.292. FRAUDULENT USE OR POSSESSION OF CREDIT CARD OR DEBIT CARD INFORMATION. An offense under Section 32.315, Penal Code, may be prosecuted in any county in which the offense was committed or in the county of residence for any person whose credit card or debit card information was unlawfully obtained, possessed, transferred, or used by the defendant.

SECTION 2. Article 38.19(a), Code of Criminal Procedure, is amended to read as follows:

(a) This article applies to the trial of an offense under any of the following sections of the Penal Code:

(1) Section 32.21 (Forgery);

(2) Section 32.31 (Credit Card or Debit Card Abuse);

~~or~~

(3) Section 32.51 (Fraudulent Use or Possession of Identifying Information); or

(4) Section 32.315 (Fraudulent Use or Possession of Credit Card or Debit Card Information).

SECTION 3. The changes in law made by this Act apply only to

1 a criminal proceeding that commences on or after the effective date
2 of this Act. A criminal proceeding that commenced before the
3 effective date of this Act is governed by the law in effect on the
4 date the proceeding commenced, and the former law is continued in
5 effect for that purpose.

6 SECTION 4. This Act takes effect September 1, 2023.