

1-1 By: Perez (Senate Sponsor - Zaffirini) H.B. No. 3852  
 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	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 the prosecution of the offense of fraudulent use or  
 1-18 possession of credit card or debit card information.

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

1-20 SECTION 1. Chapter 13, Code of Criminal Procedure, is  
 1-21 amended by adding Article 13.292 to read as follows:

1-22 Art. 13.292. FRAUDULENT USE OR POSSESSION OF CREDIT CARD OR  
 1-23 DEBIT CARD INFORMATION. An offense under Section 32.315, Penal  
 1-24 Code, may be prosecuted in any county in which the offense was  
 1-25 committed or in the county of residence for any person whose credit  
 1-26 card or debit card information was unlawfully obtained, possessed,  
 1-27 transferred, or used by the defendant.

1-28 SECTION 2. Article 38.19(a), Code of Criminal Procedure, is  
 1-29 amended to read as follows:

1-30 (a) This article applies to the trial of an offense under  
 1-31 any of the following sections of the Penal Code:

- 1-32 (1) Section 32.21 (Forgery);
- 1-33 (2) Section 32.31 (Credit Card or Debit Card Abuse);

1-34 [~~or~~]  
 1-35 (3) Section 32.51 (Fraudulent Use or Possession of  
 1-36 Identifying Information); or

1-37 (4) Section 32.315 (Fraudulent Use or Possession of  
 1-38 Credit Card or Debit Card Information).

1-39 SECTION 3. The changes in law made by this Act apply only to  
 1-40 a criminal proceeding that commences on or after the effective date  
 1-41 of this Act. A criminal proceeding that commenced before the  
 1-42 effective date of this Act is governed by the law in effect on the  
 1-43 date the proceeding commenced, and the former law is continued in  
 1-44 effect for that purpose.

1-45 SECTION 4. This Act takes effect September 1, 2023.

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