

## **BILL ANALYSIS**

H.B. 699  
By: McCall  
Law Enforcement  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, a person who uses another's driver's license or personal identification certificate to commit fraud may be charged with a Class B misdemeanor under the Transportation Code or a Class A misdemeanor under the Penal Code. This prevents uniformity of prosecution and punishment. H.B. 699 establishes both offenses as Class A misdemeanors. HB 699 maintains the current law whereby a person under the age of 21, who displays a fictitious driver's license or identification certificate for the purposes of representing themselves as over 21, is guilty of a Class C misdemeanor but specifies that the person cannot be charged with the higher Class A offenses.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

The bill amends §521.451(b) of the Transportation Code by changing the penalty for displaying a fictitious or altered driver's license or certificate, lending one's driver's license or certificate to another, displaying another's driver's license or certificate as one's own, possessing more than one currently valid driver's license or certificate, or providing false information when applying for a driver's license or certificate from a Class B misdemeanor to a Class A misdemeanor.

The bill amends §521.453(d) of the Transportation Code by adding language that prohibits the prosecution of a person attempting to represent themselves as 21 or older using a fictitious driver's license or certificate under §521.451 of the Transportation Code or §37.10 of the Penal Code.

### **EFFECTIVE DATE**

September 1, 2005