

## **BILL ANALYSIS**

H.B. 752  
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Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Identity theft is a rapidly growing crime globally. It is a crime most effectively perpetrated when someone is in physical possession of the important personal identifying documents of another person such as that other person's driver's license, social security card, passport, and other items. However, it is certainly possible that these items can be stolen but not subsequently utilized by the thief to commit more serious criminal offenses. If that is indeed the case, then the penalty--if the thief is caught and successfully prosecuted--can be as minimal as just a misdemeanor for petty theft. In order to provide more of a deterrent in this modern information-age, it is desirable to elevate the penalty for the theft and mere possession of these important documents because now their potential for disaster and harm to the victim is greater than ever before.

### **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**

Under current law, the mere theft of identification documents belonging to another person, such as his or her driver's license, social security card, passport, etc., can be considered nothing more than a minor misdemeanor if those documents are not subsequently utilized to commit more serious criminal offenses. House Bill 752 elevates to the level of a state jail felony the penalty for the theft and mere possession of these items, regardless of their face value--and regardless of whether they are, or are not, subsequently utilized to commit further crimes.

### **EFFECTIVE DATE**

September 1, 2005.