

By: Berman

H.B. No. 163

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the punishment for the offenses of forgery, credit or
3 debit card abuse, and fraudulent use or possession of identifying
4 information.

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

6 SECTION 1. Section 32.21, Penal Code, is amended by adding
7 Subsection (e-1) to read as follows:

8 (e-1) The punishment for an offense under this section is
9 increased to the punishment prescribed for the next higher category
10 of offense if it is shown on the trial of the offense that the
11 defendant has previously been convicted under this section.

12 SECTION 2. Section 32.31(d), Penal Code, is amended to read
13 as follows:

14 (d) An offense under this section is a state jail felony,
15 except that the offense is a felony of the third degree if it is
16 shown on the trial of the offense that the defendant has previously
17 been convicted under this section.

18 SECTION 3. Section 32.51(c), Penal Code, is amended to read
19 as follows:

20 (c) An offense under this section is a state jail felony,
21 except that the offense is a felony of the third degree if it is
22 shown on the trial of the offense that the defendant has previously
23 been convicted under this section.

24 SECTION 4. The changes in law made by this Act apply only to

1 an offense committed on or after the effective date of this Act. An
2 offense committed before the effective date of this Act is covered
3 by the law in effect when the offense was committed, and the former
4 law is continued in effect for that purpose. For purposes of this
5 section, an offense is committed before the effective date of this
6 Act if any element of the offense occurs before the effective date.

7 SECTION 5. This Act takes effect September 1, 2005.