

By: Quintanilla

H.B. No. 715

A BILL TO BE ENTITLED

AN ACT

relating to the punishment for credit card or debit card abuse
committed against an elderly person.

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

SECTION 1. Section 32.31(d), Penal Code, is amended to read
as follows:

(d) An offense under this section is a state jail felony,
except that the offense is a felony of the third degree if it is
shown on the trial of the offense that in committing the offense the
defendant defrauded or stole a credit card or debit card from an
elderly individual, as that term is defined by Section 22.04.

SECTION 2. The change in law made by this Act applies only
to an offense committed on or after the effective date of this Act.
An offense committed before the effective date of this Act is
governed by the law in effect when the offense was committed, and
the former law is continued in effect for that purpose. For
purposes of this section, an offense was committed before the
effective date of this Act if any element of the offense was
committed before that date.

SECTION 3. This Act takes effect September 1, 2005.