

By: Quintanilla

H.B. No. 717

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the punishment for fraudulent use or possession of an  
3 elderly person's identifying information.

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

5 SECTION 1. Section 32.51(c), Penal Code, is amended to read  
6 as follows:

7 (c) An offense under this section is a state jail felony,  
8 except that the offense is a felony of the third degree if it is  
9 shown on the trial of the offense that in committing the offense the  
10 defendant obtained, possessed, transferred, or used the  
11 identifying information of an elderly individual, as that term is  
12 defined by Section 22.04.

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

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