

BILL ANALYSIS

H.B. 649
By: McCall
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Children are some of the most vulnerable sectors of our society and are becoming particular targets of identity thieves. It has become increasingly common for children's identities to be stolen, either by family members or by strangers. If a parent wants to fraudulently open a credit account in the name of their child, that parent has ready access to necessary information, such as the social security number and birth date, that credit card companies use to establish accounts. Whether the perpetrator of such a crime is a stranger or a family member, the offense is likely to go undetected for years, until the victimized child applies for a car loan, apartment lease, college financial aid, or a job. Such crimes can put a black mark on the child's credit report, even before they know they have one. Additionally, most lenders require the victim to file a police report in order to remove fraudulent account records. This can put the victimized child in a difficult dilemma since a parent convicted of misusing their child's identifying information can face jail time. H.B. 649 explicitly protects children from identity theft.

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

House Bill 649 amends Section 32.51(b) of the Penal Code to make it an offense if a person, with the intent to harm or defraud another, obtains, possesses, transfers, or uses identifying information of a child younger than 18 years of age. Makes application of this Act prospective.

EFFECTIVE DATE

September 1, 2007.