

## **BILL ANALYSIS**

H.B. 2044  
By: Phillips  
Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current Texas law there are several offenses that require an automatic suspension of the offender's driver's license upon conviction. House Bill 2044 would keep victims of identity theft from having their license suspended for crimes committed in their names by allowing the Department of Public Safety to defer or abate such a suspension under certain circumstances.

### **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 2044 amends the Government Code to authorize the Department of Public Safety of the State of Texas (department) to abate or defer a mandatory suspension or revocation of a license if the license holder presents evidence acceptable to the department that the license holder is the victim of identity theft and the person against whom a criminal complaint alleging the commission of an offense under Section 32.51, Penal Code, has been filed, and not the license holder, engaged in the act or omission that mandates the suspension or revocation. The bill sets forth definitions for "license" and "victim of identity theft".

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.