By: Miller   H.B. No. 460

Substitute the following for H.B. No. 460:

By: Pena   C.S.H.B. No. 460

A BILL TO BE ENTITLED

1   AN ACT

2   relating to the offense of fraudulent use or possession of a

3   person's identifying information.

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

5   SECTION 1. Section 32.51(a)(1), Penal Code, is amended to

6   read as follows:

7   (1) "Identifying information" means information that

8   alone or in conjunction with other information identifies an

9   individual, including an individual's:

10   (A) name, social security number, date of birth,

11   or [and] government-issued identification number;

12   (B) unique biometric data, including the

13   individual's fingerprint, voice print, or [and] retina or iris

14   image;

15   (C) unique electronic identification number,

16   address, [and] routing code, or financial institution account

17   number; and

18   (D) telecommunication identifying information or

19   access device.

20   SECTION 2. Section 32.51(b), Penal Code, is amended to read

21   as follows:

22   (b) A person commits an offense if the person, with the

23   intent to harm or defraud another, obtains, possesses, transfers,

24   or uses identifying information of:

1

1   (1) a deceased natural person, including a stillborn

2   infant, without legal authorization; or

3   (2) another person without the other person's consent

4   [and with intent to harm or defraud another].

5   (c) An offense under this section is a state jail felony.

6   SECTION 3. The change in law made by this Act applies only

7   to an offense committed on or after the effective date of this Act.

8   An offense committed before the effective date of this Act is

9   covered by the law in effect at the time the offense was committed,

10   and the former law is continued in effect for that purpose. For

11   purposes of this section, an offense was committed before the

12   effective date of this Act if any element of the offense was

13   committed before that date.

14   SECTION 4. This Act takes effect September 1, 2007.