

BILL ANALYSIS

C.S.H.B. 1282
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, no criminal offense in Texas directly addresses unlawfully obtaining or stealing a driver's license, despite the existence of provisions that prohibit the use of information by a person from another person's driver's license. Proper punishment should be assessed for a person who steals a driver's license from one person and proceeds to turn it over to yet another person who would then use it for the illegal means presently identified as an offense under state law.

C.S.H.B. 1282 enhances the ability of law enforcement to prosecute the theft of a person's wallet or purse containing a driver's license by assessing a Class B misdemeanor. This would enable the prosecution to avoid the delay that can be caused by the requirement to prove the amount of money in the wallet or purse to determine the penalty the theft constituted. The bill creates a Class B misdemeanor offense for a person who steals a driver's license and turns it over to another person to use for illegal means.

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

C.S.H.B. 1282 amends the Penal Code to make it a Class B misdemeanor to commit theft of a driver's license, commercial driver's license, or personal identification certificate issued by Texas or another state.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1282 differs from the original by making it a Class B misdemeanor, rather than a Class A misdemeanor as in the original, to commit theft of a driver's license, commercial driver's license, or personal identification certificate issued by Texas or another state.