

BILL ANALYSIS

H.B. 1529
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A recent legislature made changes to Texas laws relating to the fraudulent use or possession of identifying information. A range of punishments, from a state jail felony to a first degree felony, was established for the offense, depending on the number of items of information obtained, possessed, transferred, or used. In addition, the law changed the definition of identifying information to include a name and date of birth, a name and social security number, or a name and government-issued identification number. It is not clear why this change was made, but interested parties suggest as the reason that obtaining a person's name alone is not enough to steal someone's identity.

H.B. 1529 seeks to further redefine "identifying information," for purposes of statutes relating to the offense of fraudulent use or possession of identifying information, to include a person's social security number or government-issued identification number separately, while retaining the person's name and date of birth together.

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

H.B. 1529 amends the Penal Code to redefine "identifying information," for purposes of statutory provisions creating the offense of fraudulent use or possession of identifying information, to clarify that a person's name and date of birth together constitute information that, whether used alone or in conjunction with other information, identifies a person and to establish that either a social security number or other government-issued identification number, whether used alone or in conjunction with other information, serves the same purpose and is identifying information.

EFFECTIVE DATE

September 1, 2011.