

## **BILL ANALYSIS**

H.B. 2256  
By: Phillips  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There are several offenses for which a conviction results in an automatic suspension of the offender's driver's license. Interested parties note that legislation is required to keep a victim of identity theft from having a license suspended for crimes committed by others in the victim's name. H.B. 2256 seeks to address this issue by allowing the Department of Public Safety to abate or defer 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**

H.B. 2256 amends the Government Code to authorize the Department of Public Safety (DPS) to abate or defer a mandatory suspension or revocation of a license, certificate, permit, or other authorization issued by DPS if the license holder presents evidence acceptable to DPS that the license holder is the victim of identity theft and that the person against whom a criminal complaint alleging the commission of an offense of fraudulent use or possession of identifying information has been filed, and not the license holder, engaged in the act or omission that mandates the suspension or revocation. The bill defines "license" and "victim of identity theft."

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.