

BILL ANALYSIS

H.B. 1069
By: McClendon
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Financial thresholds for classifications of misdemeanor theft offenses were set nearly two decades ago and have not been adjusted to account for economic inflation during that period. As a result of the outdated thresholds and the modern economy, critics argue that the current penalties assessed for theft based on the value of the stolen property are inadequate and, therefore, prosecutors now must charge individuals for theft crimes that do not reflect the true gravity of the offense. Adjusting the threshold amounts would help to divert persons who have committed low-level, non-violent crimes away from incarceration, saving costs and alleviating jail overcrowding issues. H.B. 1069 seeks to address these concerns by revising the financial thresholds of stolen property crime classifications.

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. 1069 amends the Penal Code to increase from \$50 to \$100 the maximum value of stolen property that classifies a theft offense as a Class C misdemeanor; from \$500 to \$1,000 the maximum value of stolen property that classifies a theft offense as a Class B misdemeanor; and from \$1,500 to \$3,000 the maximum value of stolen property that classifies a theft offense as a Class A misdemeanor. The bill establishes that property or service with value that cannot be reasonably ascertained by the criteria set forth in statutory provisions relating to the determination of value of stolen property is deemed to have a value of \$1,000 or more but less than \$3,000, if the actor is charged with theft.

EFFECTIVE DATE

September 1, 2013.