

By: Fletcher

H.B. No. 2986

A BILL TO BE ENTITLED

AN ACT

relating to certain solicitations of professional employment for the provision of legal services; creating an offense.

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

SECTION 1. Section 38.12, Penal Code, is amended by adding Subsection (d-1) and amending Subsections (g) and (h) to read as follows:

(d-1) A person commits an offense if:

(1) the person, with the intent to obtain professional employment for the person or another person, solicits or causes to be solicited, in person or by telephone, employment that relates to the provision of legal services involving the solicited person; and

(2) the person obtained the information used to make the solicitation described by Subdivision (1) from personal information contained in a citation for a violation of Subtitle C, Title 7, Transportation code, issued to the solicited person.

(g) Except as provided by Subsection (h), an offense under Subsection (d) or (d-1) is a Class A misdemeanor.

(h) An offense under Subsection (d) or (d-1) is a felony of the third degree if it is shown on the trial of the offense that the defendant has previously been convicted under either Subsection (d) or (d-1).

SECTION 2. Section 38.12(d-1), Penal Code, as added by this Act, applies only to an offense committed on or after the effective

1 date of this Act. An offense committed before the effective date of
2 this Act is covered by the law in effect when the offense was
3 committed, and that law is continued in effect for that purpose.
4 For purposes of this section, an offense is committed before the
5 effective date of this Act if any element of the offense occurs
6 before that date.

7 SECTION 3. This Act takes effect September 1, 2013.