

Amend **HB 132** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 31, Human Resources Code, is amended by adding Section 31.0042 to read as follows:

Sec. 31.0042. FRAUDULENT RECEIPT OF CERTAIN ASSISTANCE; CRIMINAL OFFENSE; CIVIL PENALTY. (a) A person commits an offense if, with intent to defraud or deceive the commission, the person knowingly makes or causes to be made a false statement or misrepresentation of a material fact that allows a person to receive supplemental financial assistance under Section 31.0041.

(b) An offense under Subsection (a) is a state jail felony unless it is shown on the trial of the offense that the person has previously been convicted under this section, in which case the offense is a felony of the third degree.

(c) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

(d) The appropriate county prosecuting attorney shall be responsible for the prosecution of an offense under this section.

(e) A person who engaged in conduct described by Subsection (a) is liable to the state for a civil penalty of \$1,000. The attorney general shall bring an action to recover a civil penalty as authorized by this subsection.

(f) The executive commissioner may adopt rules necessary to determine whether fraudulent activity that violates Subsection (a) has occurred.