

1-1 By: Taylor of Collin S.B. No. 1790
 1-2 (In the Senate - Filed March 9, 2017; March 23, 2017, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 May 4, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 0; May 4, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17			X	

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1790 By: Whitmire

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the punishment for the offense of fraudulent
 1-22 destruction, removal, or concealment of a writing that is attached
 1-23 to tangible property.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 32.47, Penal Code, is amended by
 1-26 amending Subsection (c) and adding Subsection (e) to read as
 1-27 follows:

1-28 (c) Except as provided by ~~in~~ Subsection (d), an offense
 1-29 under this section is a Class A misdemeanor, provided that:

1-30 (1) the writing is not attached to tangible property
 1-31 to indicate the price for the sale of that property; and

1-32 (2) the actor did not engage in the conduct described
 1-33 by Subsection (a) with respect to that writing for the purpose of
 1-34 obtaining the property for a lesser price indicated by a separate
 1-35 writing.

1-36 (e) If at the time of the offense the writing was attached to
 1-37 tangible property to indicate the price for the sale of that
 1-38 property and the actor engaged in the conduct described by
 1-39 Subsection (a) with respect to that writing for the purpose of
 1-40 obtaining the property for a lesser price indicated by a separate
 1-41 writing, an offense under this section is:

1-42 (1) a Class C misdemeanor if the difference between
 1-43 the impaired writing and the lesser price indicated by the other
 1-44 writing is less than \$100;

1-45 (2) a Class B misdemeanor if the difference between
 1-46 the impaired writing and the lesser price indicated by the other
 1-47 writing is \$100 or more but less than \$750;

1-48 (3) a Class A misdemeanor if the difference between
 1-49 the impaired writing and the lesser price indicated by the other
 1-50 writing is \$750 or more but less than \$2,500;

1-51 (4) a state jail felony if the difference between the
 1-52 impaired writing and the lesser price indicated by the other
 1-53 writing is \$2,500 or more but less than \$30,000;

1-54 (5) a felony of the third degree if the difference
 1-55 between the impaired writing and the lesser price indicated by the
 1-56 other writing is \$30,000 or more but less than \$150,000;

1-57 (6) a felony of the second degree if the difference
 1-58 between the impaired writing and the lesser price indicated by the
 1-59 other writing is \$150,000 or more but less than \$300,000; or

1-60 (7) a felony of the first degree if the difference

2-1 between the impaired writing and the lesser price indicated by the
2-2 other writing is \$300,000 or more.

2-3 SECTION 2. The change in law made by this Act applies only
2-4 to an offense committed on or after the effective date of this Act.
2-5 An offense committed before the effective date of this Act is
2-6 governed by the law in effect on the date the offense was committed,
2-7 and the former law is continued in effect for that purpose. For
2-8 purposes of this section, an offense was committed before the
2-9 effective date of this Act if any element of the offense occurred
2-10 before that date.

2-11 SECTION 3. This Act takes effect September 1, 2017.

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