

BILL ANALYSIS

H.B. 427
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Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the discrepancy between the penalty for fraudulent destruction, removal, or concealment of a writing that is attached to tangible property and the penalty for theft of that same tangible property. H.B. 427 seeks to address this discrepancy by establishing a range of penalties for fraudulent destruction, removal, or concealment of a writing attached to tangible property that is similar to the penalty range established for property theft.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 427 amends the Penal Code to establish penalties for an offense of fraudulent destruction, removal, or concealment of a writing, if the writing at the time of the offense was attached to tangible property to indicate the property's sale price and if the actor committed the offense for the purpose of obtaining the property for a lesser price indicated by a separate writing, ranging from a Class C misdemeanor to a first degree felony, depending on the difference between the impaired writing and the lesser price indicated by the separate writing.

EFFECTIVE DATE

September 1, 2019.