

BILL ANALYSIS

Senate Research Center
86R1235 SMT-D

H.B. 869
By: Hefner et al. (Hughes)
Criminal Justice
5/6/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Reports indicate that credit card skimming in Texas, which has dramatically increased in recent years, has been linked to organized crime. It has been noted that it would be much easier to effectively prosecute this crime if law enforcement were able to charge skimmers for the offense of engaging in organized criminal activity. H.B. 869 provides for the prosecution of the interception, use, or disclosure of certain communications as organized crime.

H.B. 869 amends current law relating to the prosecution of organized criminal activity involving the interception, use, or disclosure of certain communications.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 71.02(a), Penal Code, to provide that a person commits an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang, the person commits or conspires to commit one or more of certain actions, including any offense under Section 16.02 (Unlawful Interception, Use, or Disclosure of Wire, Oral, or Electronic Communications), and to make nonsubstantive changes to this subsection.

SECTION 2. Makes application of this Act prospective. Provides that, for purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. Effective date: September 1, 2019.