

BILL ANALYSIS

C.S.H.B. 2524
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been reported that some companies face difficulty in notifying customers regarding a failure to pay for services rendered under a service agreement or a failure to return property held under a rental agreement. C.S.H.B. 2524 seeks to address this issue by revising certain notification procedures related to the criminal offense of theft of service.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change 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

C.S.H.B. 2524 amends the Penal Code to revise the conduct for which intent to avoid payment is presumed for the application of the offense of theft of service by specifying that such intent is presumed if the actor failed to return property held under a rental agreement within three days after receiving a notice demanding return for property that is valued at \$2,500 or more but less than \$10,000 and by establishing that such intent is presumed if the actor failed to return property within two days after receiving notice demanding return for property that is valued at \$10,000 or more.

C.S.H.B. 2524 authorizes the delivery of a notice demanding payment or return of property to be made by commercial delivery service as an alternative to delivery by registered or certified mail. The bill revises the date on which it is presumed that written notice sent by registered or certified mail or commercial delivery service was delivered by changing that date from five days after the notice was sent to two days after the notice was sent.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2524 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a provision requiring the delivery of a notice demanding payment or return of property to be made by commercial delivery service, email, or text message if the

actor indicates a preference for such a method of contact in the service agreement or rental agreement but includes a provision authorizing the delivery of such notice by commercial delivery service as an alternative to delivery by registered or certified mail.