

By: Rosenthal

H.B. No. 836

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution for the criminal offense of theft of service.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 31.04, Penal Code, is amended by adding Subsection (h) to read as follows:

(h) It is a defense to prosecution under Subsection (a)(3) that the written rental agreement described by that subsection is a rental-purchase agreement. For purposes of this subsection, "rental-purchase agreement" means an agreement under which an individual may use personal property for personal, family, or household purposes for an initial rental period and that:

(1) is automatically renewable with each payment after the initial rental period; and

(2) permits the individual to become the owner of the property.

SECTION 2. The change in law made by this Act applies to an offense committed before, on, or after the effective date of this Act. However, a final conviction for an offense under Section 31.04, Penal Code, that exists on the effective date of this Act remains unaffected by this Act.

SECTION 3. This Act takes effect September 1, 2019.