

1-1 By: Perez, et al. (Senate Sponsor - Zaffirini) H.B. No. 2624
1-2 (In the Senate - Received from the House April 26, 2019;
1-3 April 29, 2019, read first time and referred to Committee on
1-4 Criminal Justice; May 9, 2019, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 9, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12			X	
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the prosecution of certain criminal offenses involving
1-18 fraud.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Chapter 13, Code of Criminal Procedure, is
1-21 amended by adding Article 13.291 to read as follows:

1-22 Art. 13.291. CREDIT CARD OR DEBIT CARD ABUSE. An offense
1-23 under Section 32.31, Penal Code, may be prosecuted in any county in
1-24 which the offense was committed or in the county of residence for
1-25 any person whose credit card or debit card was unlawfully possessed
1-26 or used by the defendant.

1-27 SECTION 2. Article 38.19, Code of Criminal Procedure, is
1-28 amended to read as follows:

1-29 Art. 38.19. INTENT TO DEFRAUD: CERTAIN OFFENSES [~~IN~~
1-30 ~~FORGERY~~]. (a) This article applies to the trial of an offense under
1-31 any of the following sections of the Penal Code:

- 1-32 (1) Section 32.21 (Forgery);
1-33 (2) Section 32.31 (Credit Card or Debit Card Abuse);

1-34 or

1-35 (3) Section 32.51 (Fraudulent Use or Possession of
1-36 Identifying Information).

1-37 (b) In the trial [~~trials~~] of an offense to which this
1-38 article applies [~~forgery~~], the attorney representing the state is
1-39 not required to prove [~~it need not be proved~~] that the defendant
1-40 committed the act with intent to defraud any particular person. It
1-41 is [~~shall be~~] sufficient to prove that the offense [~~forgery~~] was, in
1-42 its nature, calculated to injure or defraud any of the
1-43 sovereignties, bodies corporate or politic, officers or persons,
1-44 named in the definition of the offense [~~forgery~~] in the Penal Code.

1-45 SECTION 3. The change in law made by this Act applies only
1-46 to a criminal proceeding that commences on or after the effective
1-47 date of this Act. A criminal proceeding that commenced before the
1-48 effective date of this Act is governed by the law in effect on the
1-49 date the proceeding commenced, and the former law is continued in
1-50 effect for that purpose.

1-51 SECTION 4. This Act takes effect September 1, 2019.

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