

By: Martinez Fischer, Guillen

H.B. No. 2725

A BILL TO BE ENTITLED

1 AN ACT
2 relating to increasing the criminal penalty for using certain
3 materially false or misleading statements in the commission of the
4 offense of fraudulent use or possession of identifying information.

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

6 SECTION 1. Section 32.51(c-1), Penal Code, is amended to
7 read as follows:

8 (c-1) An offense described for purposes of punishment by
9 Subsections (c)(1)-(3) is increased to the next higher category of
10 offense if it is shown on the trial of the offense that:

11 (1) the offense was committed against an elderly
12 individual as defined by Section 22.04; ~~or~~

13 (2) the actor fraudulently used identifying
14 information with the intent to facilitate an offense under Article
15 62.102, Code of Criminal Procedure; or

16 (3) the actor used a materially false or misleading
17 statement regarding the availability, provision, or distribution
18 of a vaccine to obtain the identifying information.

19 SECTION 2. The change in law made by this Act applies only
20 to an offense committed on or after the effective date of this Act.
21 An offense committed before the effective date of this Act is
22 governed by the law in effect on the date the offense was committed,
23 and the former law is continued in effect for that purpose. For
24 purposes of this section, an offense was committed before the

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1 effective date of this Act if any element of the offense occurred
2 before that date.

3 SECTION 3. This Act takes effect September 1, 2021.