

BILL ANALYSIS

C.S.H.B. 914
By: Hefner
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

More tools are necessary in order for law enforcement agencies to enforce laws and regulations related to the fraudulent use of temporary motor vehicle tags. Fraudulently obtained temporary motor vehicle tags can be used in furtherance of criminal behavior such as vehicle theft, robberies, burglaries, capital murder, kidnapping, human smuggling, unregistered vehicles, narcotics smuggling, avoiding toll road fees, or circumventing state-mandated safety and emissions inspections. C.S.H.B. 914 seeks to address the issue by including a temporary motor vehicle tag in the definition of "governmental record" so that tampering with the tag would be classified as a Class A misdemeanor.

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. 914 amends the Penal Code to expand the conduct that constitutes the Class A misdemeanor offense for tampering with a governmental record to include tampering with a temporary vehicle registration tag or temporary vehicle license tag.

C.S.H.B. 914 amends the Code of Criminal Procedure to include tampering with such a temporary tag among the offenses for which a peace officer may issue a citation containing notice to appear instead of taking the actor before a magistrate.

C.S.H.B. 914 applies only to an offense committed on or after the bill's effective date. The bill provides for the continuation of the law in effect before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 914 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute omits the provision from the introduced that included tampering with a temporary tag among the offenses for which a final conviction triggers the automatic revocation of a driver's license.