

BILL ANALYSIS

Senate Research Center
88R4170 JES-F

H.B. 2087
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 87th Texas Legislature passed H.B. 2106, which gave the Texas Department of Licensing and Regulation rulemaking authority to prevent card skimmer installations at gas pumps and established the Financial Crimes Intelligence Center to better coordinate law enforcement efforts. In recent years the use of pulsar manipulation devices at gas pumps has become an increasing issue. Criminals are installing these devices to manipulate the counter in a gas pump so that it no longer accurately measures how much fuel is being dispensed. H.B. 2087 would address this issue by tasking the Financial Crimes Intelligence Center with combatting motor fuel theft and providing assistance to law enforcement and governmental agencies regarding the detection and prevention of motor fuel theft.

H.B. 2087 amends current law relating to the financial crimes intelligence center.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2312.001, Occupations Code, by adding Subdivisions (4-a) and (4-b) and amending Subdivision (5) to define "motor fuel manipulation device" and "motor fuel theft" and redefine "skimmer."

SECTION 2. Amends Section 2312.052, Occupations Code, as follows:

Sec. 2312.052. PURPOSES OF CENTER. Provides that the purposes of the Financial Crimes Intelligence Center (center) are to:

- (1) serve as the state's primary entity for the planning, coordination, and integration of law enforcement agencies and other governmental agencies that respond to criminal activity related to card fraud, including through the use of skimmers, and motor fuel theft; and
- (2) maximize the ability of the Texas Department of Licensing and Regulation, law enforcement agencies, and other governmental agencies to detect, prevent, and respond to criminal activities related to card fraud and motor fuel theft.

SECTION 3. Amends Section 2312.054, Occupations Code, by amending Subsections (b) and (c) and adding Subsection (b-1), as follows:

(b) Requires the center to assist law enforcement agencies, other governmental agencies, financial institutions, credit card issuers, debit card issuers, payment card networks, institutions of higher education, and merchants in their efforts to develop and implement strategies to:

- (1) detect skimmers and motor fuel manipulation devices;

(2) ensure an effective response if a skimmer or motor fuel manipulation device is found; and

(3) prevent card fraud and motor fuel theft.

(b-1) Authorizes the center, on request of a law enforcement or other governmental agency, to provide assistance to that agency regarding any matter within the center's expertise.

(c) Authorizes the center to take certain actions, including to serve as a centralized collection point for information related to card fraud and motor fuel theft.

SECTION 4. Amends Section 2312.055(b), Occupations Code, as follows:

(b) Requires that the report include:

(1) makes no changes to this subdivision;

(2) an assessment of the current state of card fraud and motor fuel theft in this state, including:

(A) an identification of the geographic locations in this state that have the highest statistical probability for card fraud and motor fuel theft; and

(B) a summary of card fraud and motor fuel theft statistics for the year in which the report is filed;

(3) a detailed plan of operation for combatting card fraud and motor fuel theft; and

(4)-(5) makes no changes to these subdivisions.

SECTION 5. Amends Section 2312.102(b), Occupations Code, to authorize a grant recipient to use grant money for certain purposes, including to conduct public outreach regarding card fraud and motor fuel theft.

SECTION 6. Effective date: September 1, 2023.