

## **BILL ANALYSIS**

C.S.H.B. 4337  
By: Canales  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, prosecutors across Texas do not have a clear mechanism for adjudicating the offense involving tampering with a governmental record as it pertains to persons in possession of a fictitious Mexican commercial driver's license or other foreign documents. C.S.H.B. 4337 seeks to address this issue by classifying a license, certificate, permit, seal, title, letter of patent, or similar document issued by an applicable foreign government as a governmental record for purposes of offenses related to perjury and other falsification.

### **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. 4337 amends the Penal Code to classify as a "governmental record," for purposes of provisions relating to perjury and other falsification, a license, certificate, permit, seal, title, letter of patent, or similar document issued by a foreign government engaged in a reciprocal treaty or memorandum of understanding with the United States. The bill applies only to an offense committed on or after the bill's effective date and 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. 4337 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 includes a provision absent from the introduced establishing that the bill applies only to the commission of an offense on or after the bill's effective date and providing 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.

Whereas the introduced included an effective date that provided for the possible immediate effect of the bill's provisions, contingent on the bill receiving the requisite constitutional vote, the substitute provides only for the bill to take effect September 1, 2023, with no possibility for immediate effect.