By:  Walle (Senate Sponsor - Whitmire) H.B. No. 2897

(In the Senate - Received from the House May 3, 2023; May 5, 2023, read first time and referred to Committee on Criminal Justice; May 17, 2023, reported favorably by the following vote: Yeas 7, Nays 0; May 17, 2023, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Whitmire        X

Flores          X

Bettencourt     X

Hinojosa        X

Huffman         X

King            X

Miles           X

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of theft of service.

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

SECTION 1.  Section 31.04(c), Penal Code, is amended to read as follows:

(c)  For purposes of Subsections (a)(4), (b)(2), (b)(4), and (b)(5), notice must be:

(1)  in writing;

(2)  sent by:

(A)  registered or certified mail with return receipt requested; or

(B)  commercial delivery service; and

(3)  sent to the actor using the actor's mailing address shown on:

(A)  the rental agreement or service agreement;

(B)  records of the person whose service was secured; or

(C)  if the actor secured performance of service by issuing or passing a check or similar sight order for the payment of money, using the actor's address shown on:

(i)  the check or order; or

(ii)  the records of the bank or other drawee on which the check or order is drawn.

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

SECTION 3.  This Act takes effect September 1, 2023.

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