

AN ACT

relating to the establishment of an organized retail theft task force.

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

SECTION 1. Subchapter B, Chapter 403, Government Code, is amended by adding Section 403.0302 to read as follows:

Sec. 403.0302. ORGANIZED RETAIL THEFT TASK FORCE. (a) In this section, "organized retail theft" means conduct constituting an offense under Section 31.16, Penal Code.

(b) The comptroller shall appoint a task force to study and make recommendations related to preventing organized retail theft in this state.

(c) The task force must include:

(1) at least one representative from a retailer with a physical retail location;

(2) at least one representative from an online retailer; and

(3) representatives from local, state, and federal law enforcement agencies.

(d) The comptroller shall designate a member of the task force as the presiding officer.

(e) The task force shall meet at least quarterly at the call of the presiding officer. A task force meeting may be conducted virtually through the Internet.

1 (f) The task force shall conduct an ongoing study of
2 organized retail theft in this state. In conducting the study the
3 task force shall:

4 (1) review laws and regulations addressing organized
5 retail theft in other jurisdictions, including international
6 political and economic organizations;

7 (2) analyze:

8 (A) the impact of organized retail theft on the
9 collection of sales tax;

10 (B) the long-term economic impacts of organized
11 retail theft; and

12 (C) the advantages and disadvantages of taking
13 various actions to reduce organized retail theft; and

14 (3) make recommendations regarding:

15 (A) organized retail theft outreach and
16 prevention programs, including coordination among stakeholders,
17 including local, state, and federal law enforcement agencies; and

18 (B) training for law enforcement officers and
19 prosecutors on effective strategies for combating organized retail
20 theft.

21 (g) In conducting the study under Subsection (f), the
22 members of the task force may:

23 (1) consult with any organization, governmental
24 entity, or person the task force considers necessary; and

25 (2) collaborate and share information relating to an
26 active criminal investigation with one another regardless of
27 whether the information would otherwise be confidential and not

1 subject to disclosure under Chapter 552.

2 (h) Not later than December 1 of each even-numbered year,
3 the task force shall prepare and submit a report of the study
4 conducted under Subsection (f) to the governor, the lieutenant
5 governor, the speaker of the house of representatives, the
6 comptroller, and each standing committee of the legislature with
7 primary jurisdiction over criminal justice matters.

8 (i) The report submitted under Subsection (h):

9 (1) must include legislative and other
10 recommendations to increase transparency, improve security,
11 enhance consumer protections, prevent organized retail theft, and
12 address the long-term economic impact of organized retail theft;
13 and

14 (2) may be submitted electronically.

15 (j) Chapter 2110 does not apply to the duration of the task
16 force or to the designation of the task force's presiding officer.

17 SECTION 2. As soon as practicable after the effective date
18 of this Act, the comptroller of public accounts shall appoint the
19 organized retail theft task force as required by Section 403.0302,
20 Government Code, as added by this Act.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 1826 was passed by the House on April 27, 2023, by the following vote: Yeas 143, Nays 5, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1826 was passed by the Senate on May 17, 2023, by the following vote: Yeas 28, Nays 3.

Secretary of the Senate

APPROVED: _____

Date

Governor