

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

1 to an offense committed on or after the effective date of this Act.
2 An offense committed before the effective date of this Act is
3 governed by the law in effect on the date the offense was committed,
4 and the former law is continued in effect for that purpose. For
5 purposes of this section, an offense was committed before the
6 effective date of this Act if any element of the offense occurred
7 before that date.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 2897 was passed by the House on May 2, 2023, by the following vote: Yeas 144, Nays 1, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2897 was passed by the Senate on May 18, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor