

By: Walle

H.B. No. 2897

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

8 (1) in writing;

9 (2) sent by:

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

12 (B) commercial delivery service; and

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

15 (A) the rental agreement or service agreement;

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

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

21 (i) the check or order; or

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

24 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.