

Suspending limitations on conference committee
jurisdiction, H.B. No. 4635 (Guillen/Flores)

By: Flores

S.R. No. 700

R E S O L U T I O N

BE IT RESOLVED by the Senate of the State of Texas, 88th Legislature, Regular Session, 2023, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 4635 (organized crime, racketeering activities, and collection of unlawful debts) to consider and take action on the following matter:

Senate Rules 12.03(1), (2), and (3) are suspended to permit the committee to change, alter, or amend text not in disagreement by adding text on a matter not in disagreement and omitting text not in disagreement in proposed SECTION 6 of the bill, so that the text of added Section 72.01(7), Penal Code, reads as follows:

(7) "Unlawful debt" means any money or other thing of value constituting principal or interest of a debt that is wholly or partly legally unenforceable in this state because the debt was incurred or contracted:

(A) in violation of:

(i) the Texas Racing Act (Subtitle A-1, Title 13, Occupations Code, and Article 179e, Revised Civil Statutes);

(ii) Subtitle A, Title 4, Finance Code, or Section 11, Article XVI, Texas Constitution, relating to interest and usury, if the usurious rate is at least twice the enforceable rate; or

1 (iii) Chapter 47, relating to gambling; or
2 (B) in gambling activity in violation of federal
3 law or in the business of lending money at a rate usurious under
4 state law if the usurious rate is at least twice the enforceable
5 rate.

6 Explanation: The change is necessary to provide the scope of
7 a usurious rate for purposes of the definition of "unlawful debt"
8 and make a nonsubstantive change to a citation.