

BILL ANALYSIS

C.S.H.B. 2594
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Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that state law does not address Texans' increased reliance on and use of intangible assets, especially in the context of cybercrime, which can exist in a non-physical form, and that prosecutors face limitations when charging cases involving theft of intangible personal property such as funds from financial institutions and virtual assets. Specifically, these limitations stem from narrow venue requirements that prevent prosecution in the county where the victim resides. As such, as the bill author has informed the committee, it can be infeasible or practically impossible to prosecute cases involving theft of intangible personal property. C.S.H.B. 2594 seeks to remedy these limitations by authorizing the prosecution of offenses involving such theft in the county in which the victim resides, in the county in which the defendant is apprehended, or in the county to which the defendant is extradited.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2594 amends the Code of Criminal Procedure to authorize the prosecution of an offense involving theft of intangible personal property in the county in which the person whose property was unlawfully appropriated resides, in the county in which the defendant is apprehended, or in the county to which the defendant is extradited. Accordingly, the bill authorizes the prosecution of the offense of engaging in organized criminal activity that is based on such an offense in the county in which the person whose property was unlawfully appropriated resides, in the county in which the defendant is apprehended, or in the county to which the defendant is extradited. The bill authorizes the prosecution of the offense of engaging in organized criminal activity that is based on a felony offense involving fraud in any county in which a victim resides, in the county in which the defendant is apprehended, or in the county to which the defendant is extradited.

C.S.H.B. 2594 applies only to the prosecution of an offense committed on or after the bill's effective date. The prosecution of an offense committed before the bill's effective date 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 these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2594 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While the introduced and substitute both authorize the prosecution of specified offenses in the county in which a victim or person whose property was unlawfully appropriated resides, as applicable, the substitute also authorizes the prosecution of those offenses in the county in which the defendant is apprehended or in the county to which the defendant is extradited.

Whereas the introduced included procedural provisions making the bill's provisions applicable to a criminal case in which the indictment, information, or complaint is presented to the court on or after the bill's effective date, the substitute includes procedural provisions making the bill's provisions applicable instead to the prosecution of an offense committed on or after the bill's effective date.