

## **BILL ANALYSIS**

Senate Research Center  
89R13755 CJD-D

H.B. 3463  
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Criminal Justice  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law requires that written notice demanding payment for services rendered be sent via physical mail before a theft of service case can proceed. This requirement does not reflect current communication norms where email, text messaging, and other digital formats are standard and more efficient. Limiting service providers to physical mail imposes unnecessary delays and makes it harder for businesses and workers to pursue valid claims.

H.B. 3463 updates the statute by expanding the allowable methods of providing notice to include email, text messages, and other written communications. This modernization will improve access to justice for service providers and make it easier for prosecutors to efficiently process theft of service complaints. The bill also makes conforming changes to avoid conflicting requirements in related subsections.

H.B. 3463 amends current law relating to the prosecution of the offense of theft of service.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 31.04, Penal Code, by adding Subsection (b-1) and amending Subsections (c) and (d), as follows:

(b-1) Requires that notice, for purposes of Subsection (a)(4) (relating to providing that a person commits a theft of service if the person intentionally secures the performance of the service and fails to make full payment after receiving notice), be in writing, sent by certain communication methods, and sent to the actor using the actor's mailing address, e-mail address, phone number, or other method of contact, as appropriate, shown on certain documents.

(c) Deletes existing text requiring that the notice, for purposes of Subsection (a)(4), meet certain criteria.

(d) Makes a conforming change to this subsection.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.