

BILL ANALYSIS

H.B. 3463
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, notices demanding payment under the offense of theft of service must be sent through physical mail by the person whose services were rendered. The bill author has informed the committee that this limitation can place a burden on victims of the offense, given that communication through electronic methods such as email and text message is both more commonplace and efficient. H.B. 3463 seeks to make it easier for victims of theft of service to seek help and also to allow local prosecutors to more efficiently process and analyze complaints.

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

H.B. 3463 amends the Penal Code to include email, text message, and any other form of written communication among the methods by which the requisite notice demanding payment may be sent to an actor for purposes of conduct constituting theft of service in which the actor intentionally or knowingly secures the performance of the service by agreeing to provide compensation and failing to make full payment after the service was rendered and after receiving such notice. Accordingly, the bill provides for notice demanding payment to be sent by such methods using the applicable contact information shown on the rental agreement or service agreement, the records of the person whose service was secured, or the check or similar sight order securing performance of service or the related bank or drawee records, as applicable.

H.B. 3463 applies only to an offense committed on or after the bill's effective date. 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.