

BILL ANALYSIS

H.B. 3507
By: Wharton
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, individuals who steal property with a value of less than \$2,500 and have at least two prior theft convictions are charged with a state jail felony, carrying a maximum sentence of two years in a state jail facility. However, the bill author has informed the committee that the law does not distinguish between offenders with just two prior convictions and those with a long history of theft offenses and that this results in repeat offenders facing the same punishment regardless of how many times they have committed such theft. The bill author has further informed the committee that as a result of these types of theft and shoplifting in Texas, businesses experience financial strain, consumer prices rise, and law enforcement resources are repeatedly directed toward habitual offenders. H.B. 3507 seeks to close this gap and to deter repeated theft, safeguard businesses, and provide prosecutors and law enforcement with more effective tools to address habitual crime of this nature by implementing stricter penalties for individuals who repeatedly steal property with a value of less than \$2,500.

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. 3507 amends the Penal Code to expand the conduct that constitutes third degree felony theft and that constitutes second degree felony theft to include the following conduct:

- for conduct constituting a third degree felony offense, the theft of property with a value of less than \$2,500 by a defendant who has been previously convicted five or more times but less than 10 times of any grade of theft; and
- for conduct constituting a second degree felony offense, the theft of property with a value of less than \$2,500 by a defendant who has been previously convicted 10 or more times of any grade of theft.

H.B. 3507 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.