

By: Holt

H.B. No. 2734

A BILL TO BE ENTITLED

AN ACT

relating to public assistance program fraud; creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 32.32, Penal Code, is amended to read as follows:

Sec. 32.32. FALSE STATEMENT TO OBTAIN PROPERTY, ~~OR~~ CREDIT, OR PUBLIC ASSISTANCE PROGRAM BENEFIT OR IN THE PROVISION OF CERTAIN SERVICES.

SECTION 2. Section 32.32, Penal Code, is amended by amending Subsections (a) and (c) and adding Subsection (b-2) to read as follows:

(a) For purposes of this section:

(1) "Credit" [~~,"credit"~~] includes:

(A) [~~(1)~~] a loan of money;

(B) [~~(2)~~] furnishing property or service on credit;

(C) [~~(3)~~] extending the due date of an obligation;

(D) [~~(4)~~] comaking, endorsing, or guaranteeing a note or other instrument for obtaining credit;

(E) [~~(5)~~] a line or letter of credit;

(F) [~~(6)~~] a credit card, as defined in Section 32.31 (Credit Card or Debit Card Abuse); and

1 (G) [~~7~~] a mortgage loan.

2 (2) "Public assistance program" includes:

3 (A) the child health plan program under Chapter
4 62, Health and Safety Code;

5 (B) the financial assistance program under
6 Chapter 31, Human Resources Code;

7 (C) the medical assistance program established
8 under Chapter 32, Human Resources Code; and

9 (D) the nutritional assistance programs under
10 Chapter 33, Human Resources Code, including the supplemental
11 nutrition assistance program under that chapter.

12 (b-2) A person commits an offense if the person
13 intentionally or knowingly makes a materially false or misleading
14 written statement in an application to obtain a benefit under a
15 public assistance program.

16 (c) An offense under this section is:

17 (1) a Class C misdemeanor if the value of the property
18 or benefit or the amount of credit is less than \$100;

19 (2) a Class B misdemeanor if the value of the property
20 or benefit or the amount of credit is \$100 or more but less than
21 \$750;

22 (3) a Class A misdemeanor if the value of the property
23 or benefit or the amount of credit is \$750 or more but less than
24 \$2,500;

25 (4) a state jail felony if the value of the property or
26 benefit or the amount of credit is \$2,500 or more but less than
27 \$30,000;

1 (5) a felony of the third degree if the value of the
2 property or benefit or the amount of credit is \$30,000 or more but
3 less than \$150,000;

4 (6) a felony of the second degree if the value of the
5 property or benefit or the amount of credit is \$150,000 or more but
6 less than \$300,000; or

7 (7) a felony of the first degree if the value of the
8 property or benefit or the amount of credit is \$300,000 or more.

9 SECTION 3. This Act takes effect September 1, 2025.