

**SENATE AMENDMENTS**  
**2<sup>nd</sup> Printing**

By: Walle, Moody, Cook

H.B. No. 3463

A BILL TO BE ENTITLED

AN ACT

relating to the prosecution of the offense of theft of service.

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

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

(b-1) For purposes of Subsection (a)(4), notice must be:

(1) in writing;

(2) sent by:

(A) registered or certified mail with return receipt requested;

(B) commercial delivery service;

(C) e-mail;

(D) text message; or

(E) another form of written communication; and

(3) sent to the actor using the actor's mailing address, e-mail address, phone number, or other method of contact, as appropriate, shown on:

(A) the rental agreement or service agreement;

(B) records of the person whose service was secured; or

(C) if the actor secured performance of service by issuing or passing a check or similar sight order for the payment of money, using the actor's address shown on:

1                    (i) the check or order; or  
2                    (ii) the records of the bank or other drawee  
3 on which the check or order is drawn.

4            (c) For purposes of Subsections [~~(a)(4),~~] (b)(2), (b)(4),  
5 and (b)(5), notice must be:

6                    (1) in writing;

7                    (2) sent by:

8                            (A) registered or certified mail with return  
9 receipt requested; or

10                            (B) commercial delivery service; and

11                    (3) sent to the actor using the actor's mailing address  
12 shown on:

13                            (A) the rental agreement or service agreement;

14                            (B) records of the person whose service was  
15 secured; or

16                            (C) if the actor secured performance of service  
17 by issuing or passing a check or similar sight order for the payment  
18 of money, using the actor's address shown on:

19                            (i) the check or order; or

20                            (ii) the records of the bank or other drawee  
21 on which the check or order is drawn.

22            (d) Except as otherwise provided by this subsection, if  
23 written notice is given in accordance with Subsection (b-1) or (c),  
24 it is presumed that the notice was received not later than two days  
25 after the notice was sent. For purposes of Subsections (b)(4)(A)  
26 and (B) and (b)(5), if written notice is given in accordance with  
27 Subsection (c), it is presumed that the notice was received not

1 later than five days after the notice was sent.

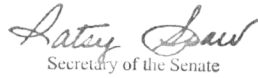
2       SECTION 2. The change in law made by this Act applies only  
3 to an offense committed on or after the effective date of this Act.  
4 An offense committed before the effective date of this Act is  
5 governed by the law in effect on the date the offense was committed,  
6 and the former law is continued in effect for that purpose. For  
7 purposes of this section, an offense was committed before the  
8 effective date of this Act if any element of the offense occurred  
9 before that date.

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

ADOPTED

MAY 25 2025

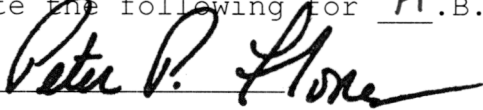


  
Secretary of the Senate

By: \_\_\_\_\_

H.B. No. 3463

Substitute the following for H.B. No. 3463:

By: 

C.S. H.B. No. 3463

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1 AN ACT <EOH>

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4 SECTION 1. Section 31.04, Penal Code, is amended by adding  
5 Subsection (b-1) and amending Subsections (c) and (d) to read as  
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17 as appropriate, shown on:

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19 (B) records of the person whose service was  
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21 (C) if the actor secured performance of service by  
22 issuing or passing a check or similar sight order for the payment  
23 of money, using the actor's address shown on:

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(ii) the records of the bank or other drawee  
on which the check or order is drawn.

(c) For purposes of Subsections [~~(a)(4)~~] (b)(2), (b)(4),  
and (b)(5), notice must be:

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(A) registered or certified mail with return  
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(d) Except as otherwise provided by this subsection, if  
written notice is given in accordance with Subsection (b-1) or  
(c), it is presumed that the notice was received not later than  
two days after the notice was sent. For purposes of Subsections  
(b)(4)(A) and (B) and (b)(5), if written notice is given in  
accordance with Subsection (c), it is presumed that the notice was  
received not later than five days after the notice was sent.

1       SECTION 2. The change in law made by this Act applies only  
2 to an offense committed on or after the effective date of this  
3 Act. An offense committed before the effective date of this Act  
4 is governed by the law in effect on the date the offense was  
5 committed, and the former law is continued in effect for that  
6 purpose. For purposes of this section, an offense was committed  
7 before the effective date of this Act if any element of the offense  
8 occurred before that date.

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

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 26, 2025**

**TO:** Honorable Dustin Burrows, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3463** by Walle (Relating to the prosecution of the offense of theft of service.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would provide additional forms of notice demanding payment in cases involving the offense of theft of service.

It is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant.

**Local Government Impact**

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** JMc, SD, MGol, AMr

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 23, 2025**

**TO:** Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3463** by Walle (relating to the prosecution of the offense of theft of service.), **Committee Report 2nd House, Substituted**

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**LBB Staff:** JMc, MGol, AMr



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 21, 2025**

**TO:** Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3463** by Walle (Relating to the prosecution of the offense of theft of service.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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**LBB Staff:** JMc, MGol, AMr

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**April 14, 2025**

**TO:** Honorable John T. Smithee, Chair, House Committee on Criminal Jurisprudence

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3463** by Walle (Relating to the prosecution of the offense of theft of service.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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**LBB Staff:** JMc, MGol, AMr

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**CRIMINAL JUSTICE IMPACT STATEMENT**

**89TH LEGISLATIVE REGULAR SESSION**

**May 23, 2025**

**TO:** Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3463** by Walle (relating to the prosecution of the offense of theft of service.), **Committee Report 2nd House, Substituted**

The bill would provide additional forms of notice demanding payment in cases involving the offense of theft of service.

Expanding the conduct constituting an existing offense may result in additional demands upon state and local correctional resources due to a possible increase in the number of individuals placed under supervision in the community or sentenced to a term of confinement.

In fiscal year 2024, there were 1,045 arrests, 29 referrals, 136 placements onto community supervision, 24 individuals admitted into an adult state correctional facility, and no individuals admitted into a juvenile state correctional facility for the offense of theft of service.

It is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant.

**Source**

**Agencies:**

**LBB Staff:** JMc, MGol, AMr

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**CRIMINAL JUSTICE IMPACT STATEMENT**  
**89TH LEGISLATIVE REGULAR SESSION**

**May 21, 2025**

**TO:** Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3463** by Walle (Relating to the prosecution of the offense of theft of service.), **As Engrossed**

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**Agencies:**

**LBB Staff:** JMc, MGol, AMr

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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**89TH LEGISLATIVE REGULAR SESSION**

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