

BILL ANALYSIS

H.B. 869
By: Hefner
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Reports indicate that credit card skimming in Texas, which has drastically increased in recent years, has been linked to organized crime. It has been noted that it would be much easier to effectively prosecute this crime if law enforcement were able to charge skimmers for the offense of engaging in organized criminal activity. H.B. 869 provides for the prosecution of the interception, use, or disclosure of certain communications as organized crime.

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. 869 amends the Penal Code to expand the conduct that constitutes the offense of engaging in organized criminal activity to include committing or conspiring to commit the offense of unlawful interception, use or disclosure of wire, oral, or electronic communications with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang.

EFFECTIVE DATE

September 1, 2019.