

BILL ANALYSIS

Senate Research Center

H.B. 195
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Criminal Justice
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Engrossed

DIGEST

Currently, Texas law contains no provisions which specifically protect elderly individuals who are the victims of theft. However, concern has been raised that the elderly are seen as easy targets by criminals, particularly in the case of unscrupulous handymen or independent home repair contractors who understand that the elderly have the money to pay for home repairs that they can no longer make themselves. In a study conducted for the 72nd Legislature by the House Criminal Jurisprudence Committee, the committee determined that financial losses suffered in these instances generally range from \$1,500 to \$20,000, and concluded that the penalties for such crimes need to be increased. H.B. 195 would increase the penalty for theft committed against the elderly to a third degree felony when the financial loss incurred ranges between \$1,500 and \$20,000.

PURPOSE

As proposed, H.B. 195 establishes the punishment of theft committed against elderly individuals.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 31.01, Penal Code, by adding Subdivision (10), to define "elderly individual."

SECTION 2. Amends Section 31.03(e), Penal Code, to establish that except as provided by Subsection (f), an offense under this section, regarding theft, is a third degree felony if the value of the property stolen is \$1,500 or more but less than \$20,000 and the property is stolen from an elderly individual.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.