

BILL ANALYSIS

Senate Research Center

H.B. 677
By: Solomons (Haywood)
Criminal Justice
4-23-97
Engrossed

DIGEST

Currently, the Transportation Code makes it a crime for a person to sell, manufacture, distribute, or possess a document that is deceptively similar to a driver's license or a personal identification certificate issued by the Department of Public Safety (DPS) unless the document displays the statement "NOT A GOVERNMENT DOCUMENT" diagonally printed on both the front and back of the document in solid red letters of a certain height. A document is deceptively similar to a driver's license or personal identification certificate if a reasonable person would assume that it was issued by DPS, and a first offense of this type is a Class C misdemeanor, punishable by a maximum fine of \$500. H.B. 677 would allow courts to require community service for the punishment of such an offense.

PURPOSE

As proposed, H.B. 677 establishes the punishment for certain persons who sell, manufacture, distribute, or possess a document that is deceptively similar to a driver's license.

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 521.453, Transportation Code, by adding Subsection (g), to authorize a court, in addition to the punishment provided by Subsection (d), to order a person younger than 21 years of age who commits a first offense under this section to perform eight hours of community service under certain circumstances. Requires the community service to be performed as if ordered by a juvenile court under Section 54.044(a), Family Code, as a condition of probation under Section 54.04(d), Family Code, if the person is younger than 17 years of age.

SECTION 2. Amends Section 54.044, Family Code, by adding Subsection (i), to authorize the court, in a disposition hearing under Section 54.04 in which the court finds that a child engaged in behavior violating Section 521.453, Transportation Code, as a first offense, to order the child to perform eight hours of community service as a condition of probation under Section 54.04(d) under certain circumstances.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.