

BILL ANALYSIS

Senate Research Center

C.S.S.B. 188
By: Madla
Criminal Justice
2-11-97
Committee Report (Substituted)

DIGEST

Currently, Texas law provides that it is a felony for an inmate to disclose or use personal information about another person for certain prohibited uses when that information was gained in a prison work program. This inhibits the state from prosecuting a person who possesses such information, but has not yet used or disclosed the information. This bill will provide for prosecution of an inmate who possesses, for certain prohibited uses, personal information about another person when that information was gained in a prison work program.

PURPOSE

As proposed, C.S.S.B. 188 prohibits an inmate from possessing, for certain prohibited uses, personal information about another person when that information was gained in a prison work program.

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 38.111(a), Penal Code, to provide that an inmate of the institutional division of the Texas Department of Criminal Justice or a person confined in a state jail felony facility commits an offense if with intent to obtain a benefit or with intent to harm or defraud another the inmate or person possesses a written document or other tangible item that contains personal information about another that the inmate or person has access to by means of participation in a work program operated by or for the institutional division or state jail division.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amends SECTION 1, Section 38.111(a), Penal Code, to provide that an inmate who possesses a written document or tangible item that contains personal information about another, rather than possesses personal information, commits an offense under this section.