

## **BILL ANALYSIS**

Senate Research Center

H.B. 1874  
By: Cook (Armbrister)  
Jurisprudence  
5/3/2001  
Engrossed

### **DIGEST AND PURPOSE**

Current law only allows merchants and district and county attorneys to seek prosecution of a person who writes a check on an account with insufficient funds. Many merchants employ third party companies to verify checks and to collect outstanding debt from insufficient fund checks. However, third party companies are not allowed to seek prosecution of a person who writes an bad check. H.B. 1874 authorizes third parties to seek assistance from prosecutors in the collection of bad checks.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 21.22, Code of Criminal Procedure, to provide that for purposes of this article, a credible person on whose affidavit an information charging an offense under Chapter 31 (Theft) or 32 (Fraud), Penal Code, involving a check or sight order may be presented includes, in addition to the holder of the check or sight order, the holder's assignee, agent, or representative or any other person retained by the holder to seek collection of the check or sight order.

SECTION 2. Effective date: upon passage.