

BILL ANALYSIS

Senate Research Center
80R10028 SLO-D

H.B. 887
By: Giddings (Ellis)
Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the statute of limitations for identity theft crime is three years. However, sometimes it can take a victim longer than three years to discover an identity theft. It can also take law enforcement entities a substantial amount of time to find the person committing identity theft after the crime has been reported.

H.B. 887 increases the statute of limitations for credit card or debit card abuse, false statement to obtain property or credit, and fraudulent use or possession of identifying information to seven years.

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 12.01, Code of Criminal Procedure, to include that, except as provided in Article 12.03 (Aggravated Offenses, Attempt, Conspiracy, Solicitation, Organized Criminal Activity), felony indictments are authorized within seven years from the date of the commission of credit card or debit card abuse under Section 32.31 (Credit Card or Debit Card Abuse), Penal Code, a false statement to obtain property or credit under Section 32.32 (False Statement to Obtain Property or Credit), Penal Code, or fraudulent use or possession of identifying information under Section 32.51 (Fraudulent Use or Possession of Identifying Information), Penal Code.

SECTION 2. Makes application of the change in law made by this Act to Article 12.01, Code of Criminal Procedure, prospective.

SECTION 3. Effective date: September 1, 2007.