

## **BILL ANALYSIS**

Senate Research Center  
80R5057 DLF-F

S.B. 1715  
By: Seliger  
Criminal Justice  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The state, in attempting to prosecute an insurance fraud offense, has encountered difficulty in determining a venue to do so in cases where the offense involves aspects that took place in several different parts of the state. Additionally, the Texas Department of Insurance's fraud investigation unit is limited in the venues to which it can refer a case because counties where cases are referred are often unwilling to prosecute due to limited resources and large case dockets.

As proposed, S.B. 1715 authorizes a prosecuting entity to prosecute an insurance fraud offense in several different venues set forth in the bill, thereby providing more options for state entities attempting to prosecute such fraud.

### **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 Chapter 13, Code of Criminal Procedure, by adding Article 13.33, as follows:

Art. 13.33. INSURANCE FRAUD. Authorizes an offense under Chapter 35 (Insurance Fraud), Penal Code, to be prosecuted in the county of the insurer's principal place of business in this state or an adjoining county in this state, the county in which a defendant resides, the county in which a prosecution may be brought under Section 85.051 (Venue for Prosecution), Insurance Code, if applicable, or any county in which a defendant had control or possession of any proceeds of the offense or any document, record, or property used in furtherance of the offense, or made any statement in furtherance of the offense.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.