

## **BILL ANALYSIS**

Senate Research Center  
80R997 KEL-D

S.B. 563  
By: Ogden  
State Affairs  
2/28/2007  
As Filed

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

Current law does not provide for the attorney general to seek concurrent jurisdiction over a matter involving the unlawful appropriation of state property, in the same way that is provided to the attorney general for a matter of Medicaid fraud, in the event that a local prosecutor chooses not to pursue, or is prevented from pursuing, such a case.

As proposed, S.B. 563 authorizes the attorney general to seek concurrent jurisdiction with the consent of the local prosecutor in certain cases of theft or 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 Section 31.03(j), Penal Code, by including the unlawful appropriation of state property as an offense of theft for which the attorney general has concurrent prosecuting jurisdiction with a consenting local prosecutor.

SECTION 2. Amends Section 32.45(e), Penal Code, by including the misapplication of state property as an offense of fraud for which the attorney general has concurrent prosecuting jurisdiction with a consenting local prosecutor.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.