

BILL ANALYSIS

Senate Research Center
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S.B. 1110
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A restorative justice program offers first-time, low-risk shoplifters a second chance in order to make things right by participating in an online educational course in lieu of prosecution. These programs not only explore the reasons behind why people choose to shoplift but also identifies community resources, such as job training programs or government assistance programs. Moreover, in some restorative justice programs offenders are given access to life coaches who can guide them through the online resource.

Restorative justice programs bring value to the greater community by cutting down on the amount of resources local law enforcement has to commit against retail crime; and help ensure one bad decision does not become the defining moment of an otherwise good person's life.

S.B. 1110 allows a merchant in Texas to offer a person suspected of stealing or attempting to steal property from a merchant an opportunity to complete a merchant's restorative justice program instead of reporting the suspected offense to a law enforcement agency. In addition, S.B. 1110 provides the merchant the ability to inform the individual suspected of shoplifting of civil and criminal remedies available to the merchant and the state; and the ability to reduce or waive a fee for the education program based on the offender's ability to pay.

As proposed, S.B. 1110 amends current law relating to allowing a person suspected of committing or attempting to commit theft to complete an education program offered by a merchant.

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 124.001, Civil Practice and Remedies Code, as follows:

Sec. 124.001. DETENTION. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Provides that a person who is in the business of selling goods or services as a merchant is not precluded from offering a person who is suspected of stealing or attempting to steal property from the merchant an opportunity to complete the merchant's education program instead of reporting the suspected offense to a law enforcement agency; informing the other person of the civil and criminal remedies available to the merchant and the state; and reducing or waiving a fee for the education program based on the other person's ability to pay.

SECTION 2. Effective date: September 1, 2017.