

BILL ANALYSIS

Senate Research Center
82R10165 VOO-D

H.B. 2256
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There are several offenses for which a conviction results in an automatic suspension of the offender's driver's license. Interested parties note that legislation is required to keep a victim of identity theft from having a license suspended for crimes committed by others in the victim's name.

H.B. 2256 amends current law relating to abating or deferring the suspension or revocation of a license issued by the Department of Public Safety for victims of identity theft.

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 Subchapter A, Chapter 411, Government Code, by adding Section 411.0206, as follows:

Sec. 411.0206. ABATEMENT OR DEFERRAL FOR VICTIMS OF IDENTITY THEFT. (a) Defines, in this section, "license" and "victim of identity theft."

(b) Authorizes the Department of Public Safety of the State of Texas (DPS) to abate or defer a mandatory suspension or revocation of a license if the license holder presents evidence acceptable to DPS that:

(1) the license holder is the victim of identity theft; and

(2) the person against whom a criminal complaint alleging the commission of an offense under Section 32.51 (Fraudulent Use or Possession of Identifying Information), Penal Code, has been filed, and not the license holder, engaged in the act or omission that mandates the suspension or revocation.

SECTION 2. Effective date: upon passage or September 1, 2011.