

OCCUPATIONS CODE

TITLE 14. REGULATION OF MOTOR VEHICLES AND TRANSPORTATION

SUBTITLE A. REGULATIONS RELATED TO MOTOR VEHICLES

CHAPTER 2312. FINANCIAL CRIMES INTELLIGENCE CENTER

SUBCHAPTER A. GENERAL PROVISIONS

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see H.B. [201](#) and S.B. [1499](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.001. DEFINITIONS. In this chapter:

(1) "Card fraud" means an act that constitutes the offense of fraudulent use or possession of a credit card or debit card under Section [32.315](#), Penal Code.

(2) "Center" means the financial crimes intelligence center established under this chapter.

(3) "Commission" means the Texas Commission of Licensing and Regulation.

(4) "Department" means the Texas Department of Licensing and Regulation.

(5) "Skimmer" means an electronic, mechanical, or other device that may be used to unlawfully intercept electronic communications or data to perpetrate card fraud.

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see S.B. [1499](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.002. RULES. The commission shall adopt rules as necessary to implement this chapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.

SUBCHAPTER B. PURPOSE AND ADMINISTRATION

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see S.B. [1499](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.051. FINANCIAL CRIMES INTELLIGENCE CENTER ESTABLISHED. The commission shall establish the center within the department.

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see H.B. [201](#) and S.B. [1499](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.052. PURPOSES OF CENTER. The purposes of the center are to:

(1) serve as the state's primary entity for the planning, coordination, and integration of law enforcement agencies and other governmental agencies that respond to criminal activity related to card fraud, including through the use of skimmers; and

(2) maximize the ability of the department, law enforcement agencies, and other governmental agencies to detect, prevent, and respond to criminal activities related to card fraud.

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.

The following section was amended by the 89th Legislature. Pending

publication of the current statutes, see S.B. [1499](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.053. OPERATION AGREEMENTS AUTHORIZED; CHIEF INTELLIGENCE COORDINATOR. (a) The department:

(1) may enter into agreements with law enforcement agencies or other governmental agencies for the operation of the center; and

(2) shall enter into an agreement with a law enforcement agency or other governmental agency for the appointment of a chief intelligence coordinator to supervise and manage the operation of the center.

(b) The chief intelligence coordinator appointed under the agreement required by Subsection (a)(2) may be a licensed peace officer. The agreement must provide that the commission of a chief intelligence coordinator who is a licensed peace officer will be carried by the agency with which the department enters into the agreement under that subdivision.

(c) Information a law enforcement agency or other governmental agency collects and maintains under an agreement entered into with the department under this chapter is the intellectual property of the center. On termination of the agreement, the contracting agency shall transfer the information to the department in accordance with the terms of the agreement.

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see H.B. [201](#) and S.B. [1499](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.054. POWERS AND DUTIES. (a) The center may collaborate with federal, state, and local governmental agencies to accomplish the purposes of the center.

(b) The center shall assist law enforcement agencies, other

governmental agencies, financial institutions, credit card issuers, debit card issuers, payment card networks, institutions of higher education, and merchants in their efforts to develop and implement strategies to:

- (1) detect skimmers;
- (2) ensure an effective response if a skimmer is found; and

- (3) prevent card fraud.

(c) The center may:

- (1) serve as a centralized collection point for information related to card fraud;

- (2) provide training and educational opportunities to law enforcement;

- (3) provide outreach to the public; and

- (4) release information to affected financial institutions, credit card issuers, debit card issuers, payment card networks, institutions of higher education, and merchants if the center does not consider the information to be sensitive to law enforcement.

(d) For purposes of Subsection (c)(4), information is considered sensitive to law enforcement if the information could cause harm to law enforcement activities or jeopardize an investigation or operation if disclosed.

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see S.B. [1499](#) and H.B. [201](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.055. ANNUAL REPORT. (a) Not later than December 1 of each year, the chief intelligence coordinator shall file a report with the department.

(b) The report must include:

- (1) a plan of operation for the center and an estimate

of the amount of money necessary to implement that plan;

(2) an assessment of the current state of card fraud in this state, including:

(A) an identification of the geographic locations in this state that have the highest statistical probability for card fraud; and

(B) a summary of card fraud statistics for the year in which the report is filed;

(3) a detailed plan of operation for combatting card fraud;

(4) a communications plan for outreach to law enforcement agencies, financial institutions, credit card issuers, debit card issuers, payment card networks, merchants, and the public; and

(5) a list of expenditures made since the most recent report was filed with the department.

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.

SUBCHAPTER C. FINANCIAL PROVISIONS

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see S.B. [1499](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.101. FUNDING. The department may solicit and accept gifts, grants, and other donations to fund, administer, and carry out the purposes of the center, except that the department may not solicit or accept a gift, grant, or other donation from a license holder as defined by Section [2310.151](#).

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.

The following section was amended by the 89th Legislature. Pending publication of the current statutes, see S.B. [1499](#) and H.B. [201](#), 89th Legislature, Regular Session, for amendments affecting the following section.

Sec. 2312.102. AWARD OF GRANTS. (a) Subject to the availability of appropriated money, the department may award grants for the purposes of this chapter by entering into a contract with each grant recipient.

(b) A grant recipient may use grant money to:

- (1) reduce card fraud by removing skimmers;
- (2) purchase or upgrade fraud deterrence equipment, including unique locking systems, cameras, and lights;
- (3) provide training opportunities regarding skimmers; and
- (4) conduct public outreach regarding card fraud.

Added by Acts 2019, 86th Leg., R.S., Ch. 863 (H.B. [2945](#)), Sec. 2, eff. September 1, 2019.

Transferred, redesignated and amended by Acts 2021, 87th Leg., R.S., Ch. 336 (H.B. [2106](#)), Sec. 11, eff. September 1, 2021.