

# Tex. Pen. Code § 32.47

## Section 32.47 - Fraudulent Destruction, Removal, or Concealment of Writing

- (a) A person commits an offense if, with intent to defraud or harm another, he destroys, removes, conceals, alters, substitutes, or otherwise impairs the verity, legibility, or availability of a writing, other than a governmental record.
- (b) For purposes of this section, "writing" includes:
- (1) printing or any other method of recording information;
  - (2) money, coins, tokens, stamps, seals, credit cards, badges, trademarks;
  - (3) symbols of value, right, privilege, or identification; and
  - (4) universal product codes, labels, price tags, or markings on goods.
- (c) Except as provided by Subsection (d), an offense under this section is a Class A misdemeanor, provided that:
- (1) the writing is not attached to tangible property to indicate the price for the sale of that property; and
  - (2) the actor did not engage in the conduct described by Subsection (a) with respect to that writing for the purpose of obtaining the property for a lesser price indicated by a separate writing.
- (d) An offense under this section is a state jail felony if the writing:
- (1) is a will or codicil of another, whether or not the maker is alive or dead and whether or not it has been admitted to probate; or
  - (2) is a deed, mortgage, deed of trust, security instrument, security agreement, or other writing for which the law provides public recording or filing, whether or not the writing has been acknowledged.
- (e) If at the time of the offense the writing was attached to tangible property to indicate the price for the sale of that property and the actor engaged in the conduct described by Subsection (a) with respect to that writing for the purpose of obtaining the property for a lesser price indicated by a separate writing, an offense under this section is:
- (1) a Class C misdemeanor if the difference between the impaired writing and the lesser price indicated by the other writing is less than \$100;
  - (2) a Class B misdemeanor if the difference between the impaired writing and the lesser price indicated by the other writing is \$100 or more but less than \$750;
  - (3) a Class A misdemeanor if the difference between the impaired writing and the lesser price indicated by the other writing is \$750 or more but less than \$2,500;

- (4) a state jail felony if the difference between the impaired writing and the lesser price indicated by the other writing is \$2,500 or more but less than \$30,000;
- (5) a felony of the third degree if the difference between the impaired writing and the lesser price indicated by the other writing is \$30,000 or more but less than \$150,000;
- (6) a felony of the second degree if the difference between the impaired writing and the lesser price indicated by the other writing is \$150,000 or more but less than \$300,000; or
- (7) a felony of the first degree if the difference between the impaired writing and the lesser price indicated by the other writing is \$300,000 or more.

*Tex. Pen. Code § 32.47*

Amended by Acts 2019, Texas Acts of the 86th Leg.- Regular Session, ch. 215, Sec. 1, eff. 9/1/2019.

Amended By Acts 2001, 77th Leg., ch. 21, Sec. 1, eff. 9/1/2001.

Amended by Acts 1993, 73rd Leg., ch. 900, Sec. 1.01, eff. 9/1/1994

Acts 1973, 63rd Leg., p. 883, ch. 399, Sec. 1, eff. 1/1/1974.

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