

## **BILL ANALYSIS**

Senate Research Center  
79R3198 DWS-F

S.B. 453  
By: Armbrister  
S/C on Agriculture & Coastal Resources  
3/11/2005  
As Filed

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

Current Texas law allows law enforcement agencies to dispose of a confiscated or abandoned watercraft through public auction after the necessary due process procedures have been followed.

As proposed, S.B. 453 allows law enforcement agencies to dispose of confiscated or abandoned watercrafts through the Texas Parks and Wildlife Department's Artificial Reef Program. It gives law enforcement more options with regards to disposing of the watercraft and reduces the cost of doing so.

### **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 683.014, Transportation Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Provides that if an abandoned motor vehicle, watercraft, or outboard motor is not claimed under Section 683.012 (Taking Abandoned Motor Vehicle Into Custody: Notice), the owner or lienholder consents to the sale of the item by public auction or the transfer of the item, if a watercraft, as provided by Subsection (d), and authorizes the law enforcement agency to transfer the item, if a watercraft, as provided by Subsection (d).

(d) Authorizes the law enforcement agency, on consent of the Parks and Wildlife Department (department), to transfer a watercraft that is not claimed under Section 683.012 to the department for use as part of an artificial reef. Provides that the department, on transfer of the watercraft, takes the title free and clear of all liens and claims of ownership and is entitled to register the watercraft and receive a certificate of title.

SECTION 2. Effective date: upon passage or September 1, 2005.