

BILL ANALYSIS

Senate Research Center
81R7452 PEP-F

H.B. 2062
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Article 2.125, Code of Criminal Procedure, creates the special rangers of the Texas and Southwestern Cattle Raisers Association (TSCRA). TSCRA special rangers are commissioned by the Texas Department of Public Safety (DPS) and are highly trained livestock theft investigators, strategically stationed throughout Texas. The special rangers are knowledgeable about the livestock industry and frequently provide educational programs on theft prevention.

In 2007, TSCRA special rangers recovered or accounted for over \$3 million in stolen livestock and related property. Working closely with federal, state, and local law enforcement officers, the TSCRA special rangers investigated 959 cases. TSCRA special rangers are often involved in the seizure of stolen assets. In many instances, TSCRA special rangers provide valuable assistance to federal, state, and local law enforcement officers.

Under current law, when assets are forfeited or sold, TSCRA special rangers cannot share in the sale proceeds of the stolen assets they helped seize.

H.B. 2062 authorizes the attorney representing the state and law enforcement agencies to include the TSCRA special rangers in local law enforcement agreements authorized under Article 59.06, Code of Criminal Procedure. This bill also provides that TSCRA special rangers are subject to requirements for budget preparation and auditing.

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 Article 59.06, Code of Criminal Procedure, by adding Subsection (c-1), as follows:

(c-1) Authorizes the attorney representing the state and special rangers of the Texas and Southwestern Cattle Raisers Association who meet the requirements of Article 2.125 (Special Rangers of the Texas and Southwestern Cattle Raisers Association), notwithstanding Subsection (a) (relating to the administration of all forfeited property), to enter into a local agreement that allows the attorney representing the state to transfer proceeds from the sale of forfeited property described by Subsection (c) (relating to the disposition of funds according to certain local agreements), after the deduction of court costs as described by that subsection, to a special fund established for the special rangers. Requires that proceeds transferred under this subsection be used by the special rangers solely for law enforcement purposes, such as training, essential equipment, and operating expenses. Provides that any expenditures of the proceeds are subject to the audit provisions established under this article.

SECTION 2. Effective date: upon passage or September 1, 2009.