

BILL ANALYSIS

Senate Research Center
81R10168 GCB-D

H.B. 3140
By: Gonzalez Toureilles (Hegar)
Natural Resources
5/11/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, if a local agreement exists between the attorney representing the state and law enforcement agencies, property may be transferred to a municipal or county agency or school district to maintain, repair, use, and operate for official purposes, if the property is free of any interest of an interest holder. The agency or school district receiving the property may then also transfer the property to any other municipal or county agency or school district.

H.B. 3140 amends current law relating to authorizing the transfer of certain abandoned or forfeited property to groundwater conservation districts.

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 Articles 59.06(b) and (b-2), Code of Criminal Procedure, as follows:

(b) Authorizes a law enforcement agency to which property is transferred under this subsection at any time to transfer or loan the property to any other municipal or county agency, a groundwater conservation district governed by Chapter 36 (Groundwater Conservation Districts), Water Code, or a school district for the use of that agency or district. Requires a municipal or county agency, a groundwater conservation district, or a school district to which a law enforcement agency loans a motor vehicle under this subsection to maintain any automobile insurance coverage for the vehicle that is required by law. Makes a nonsubstantive change.

(b-2) Requires an agency that loans property under this article to keep a record of the loan, including the name of the agency or district to which the vehicle was loaned, the fair market value of the vehicle, and where the receiving agency or district will use the vehicle and update the record when the information relating to the vehicle changes.

SECTION 2. Amends Sections 683.016(a) and (b), Transportation Code, as follows:

(a) Authorizes a law enforcement agency that takes an abandoned motor vehicle into custody that is not claimed under Section 683.012 (Taking Abandoned Motor Vehicle Into Custody Notice) to use the vehicle for agency purposes or transfer the vehicle to any other municipal or county agency, a groundwater conservation district governed by Chapter 36, Water Code, or a school district for the use of that agency or district.

(b) Makes a conforming change.

SECTION 3. Makes application of Article 59.06, Code of Criminal Procedure, and Section 683.016, Transportation Code, as amended by this Act, prospective.

SECTION 4. Effective date: September 1, 2009.