

BILL ANALYSIS

Senate Research Center

H.B. 2306
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Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Law enforcement's hot pursuit of suspects sometimes results in damage to private property and abandoned motor vehicles, aircraft, or watercraft on that property. Under current law, these abandoned vehicles usually are auctioned, and the proceeds are used in the following priority order: to reimburse law enforcement for the costs of auctioning the vehicle, to compensate the vehicle owner, and to be deposited in an account to finance law enforcement auctions of other vehicles. The remaining proceeds are then deposited in county funds. Current law also allows a private property owner to be compensated for his or her property's damages from those proceeds remaining after other priority uses of the proceeds. At this point, the proceeds usually are insufficient to cover the damage. H.B. 2306 provides that a law enforcement agency may also be reimbursed from auction proceeds when it uses existing funds to compensate property owners whose property was damaged as a result of a pursuit involving an abandoned motor vehicle, aircraft, or watercraft motor vehicle. This change moves compensation to the property owner higher in the priority use list, which, in turn, allows property owners to get compensated earlier in the reimbursement process when more funds are available.

H.B. 2306 amends current law relating to the use of auction proceeds from the sale of certain abandoned motor vehicles to reimburse law enforcement agencies for compensation paid to certain property owners.

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 683.015(a), Transportation Code, to provide that a law enforcement agency is entitled to reimbursement from the proceeds of the sale of an abandoned motor vehicle, aircraft, watercraft, or outboard motor for any compensation made by the agency under Subsection (f) (relating to compensating property owners whose property was damaged as a result of a pursuit involving a law enforcement agency or a federal law enforcement agency) to property owners whose property was damaged as result of a pursuit involving the motor vehicle.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2017.