

1-1 By: Hernandez (Senate Sponsor - Alvarado) H.B. No. 402
 1-2 (In the Senate - Received from the House April 13, 2021;
 1-3 April 14, 2021, read first time and referred to Committee on
 1-4 Criminal Justice; May 6, 2021, reported favorably by the following
 1-5 vote: Yeas 6, Nays 0; May 6, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the use of certain funds derived from criminal asset
 1-18 forfeiture to provide services to domestic victims of trafficking.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Article 59.06, Code of Criminal Procedure, is
 1-21 amended by adding Subsection (u) to read as follows:

1-22 (u) As a specific exception to Subsection (c) that the funds
 1-23 described by that subsection be used only for the official purposes
 1-24 of the attorney representing the state or for law enforcement
 1-25 purposes, to cover the costs of a contract with a municipal or
 1-26 county program to provide services to domestic victims of
 1-27 trafficking, the attorney representing the state or the head of a
 1-28 law enforcement agency, as applicable, may use any portion of the
 1-29 gross amount credited to the attorney's or agency's special fund
 1-30 under Subsection (c) from the forfeiture of contraband that:

1-31 (1) is used in the commission of, or used to facilitate
 1-32 or intended to be used to facilitate the commission of, an offense
 1-33 under Chapter 20A, Penal Code; or

1-34 (2) consists of proceeds gained from the commission
 1-35 of, or property acquired with proceeds gained from the commission
 1-36 of, an offense under Chapter 20A, Penal Code.

1-37 SECTION 2. The change in law made by this Act in amending
 1-38 Article 59.06, Code of Criminal Procedure, applies to the
 1-39 disposition or use, on or after the effective date of this Act, of
 1-40 proceeds or property received by a law enforcement agency or
 1-41 attorney representing the state under Chapter 59, Code of Criminal
 1-42 Procedure, regardless of whether the receipt of the proceeds or
 1-43 property occurred before, on, or after the effective date of this
 1-44 Act.

1-45 SECTION 3. This Act takes effect September 1, 2021.

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