

By: Allison

H.B. No. 2038

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of proceeds from the sale of forfeited property
3 to reimburse persons who suffered agricultural property damage as a
4 result of an offense involving the unlawful entry into the United
5 States.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Article 59.06, Code of Criminal Procedure, is
8 amended by adding Subsection (v) to read as follows:

9 (v) As a specific exception to Subsection (c)(1), the office
10 of the attorney representing the state may use proceeds received
11 under this chapter for the purpose of providing reimbursements
12 under a program established by the office under Article 59.15.

13 SECTION 2. Chapter 59, Code of Criminal Procedure, is
14 amended by adding Article 59.15 to read as follows:

15 Art. 59.15. REIMBURSEMENT PROGRAM FOR AGRICULTURAL
16 PROPERTY DAMAGE RESULTING FROM OFFENSE INVOLVING UNLAWFUL ENTRY
17 INTO UNITED STATES. (a) This section applies only to an office of
18 an attorney representing the state that:

19 (1) has executed a local agreement with law
20 enforcement agencies under this chapter; and

21 (2) is located in a county that borders the United
22 Mexican States.

23 (b) Each office of an attorney representing the state to
24 which this section applies shall:

1 (1) establish and administer a program to reimburse
2 persons who suffered damage to agricultural property as a result of
3 an offense that:

4 (A) is subject to the jurisdiction of the office;
5 and

6 (B) was committed in the course of or for the
7 purpose of unlawfully entering the United States;

8 (2) establish:

9 (A) eligibility criteria for reimbursements
10 under Subdivision (1);

11 (B) reimbursement application procedures; and

12 (C) procedures for evaluating reimbursement
13 applications; and

14 (3) use proceeds received by the office under this
15 chapter for the purpose of providing reimbursements under
16 Subdivision (1).

17 SECTION 3. This Act takes effect September 1, 2023.