

1-1 By: Blanco, et al. S.B. No. 1133
1-2 (In the Senate - Filed February 23, 2023; March 9, 2023,
1-3 read first time and referred to Committee on Border Security;
1-4 March 29, 2023, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; March 29, 2023,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Birdwell</u>	X		
1-10	<u>Flores</u>	X		
1-11	<u>Blanco</u>	X		
1-12	<u>Hinojosa</u>	X		
1-13	<u>King</u>	X		

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 1133 By: Flores

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

1-17 relating to a grant program to compensate landowners for property
1-18 damage caused by certain criminal activities.

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

1-20 SECTION 1. Title 1, Code of Criminal Procedure, is amended
1-21 by adding Chapter 56C to read as follows:

1-22 CHAPTER 56C. GRANT PROGRAM FOR LANDOWNER COMPENSATION FOR PROPERTY
1-23 DAMAGE CAUSED BY CERTAIN CRIMINAL ACTIVITIES

1-24 Art. 56C.001. DEFINITIONS. In this chapter:

1-25 (1) "Agricultural land" includes any land the use of
1-26 which qualifies the land for appraisal based on agricultural use as
1-27 defined under Subchapter D, Chapter 23, Tax Code.

1-28 (2) "Border crime" means conduct constituting an
1-29 offense listed in Article 56C.002(a)(1), (2), or (3) and involving
1-30 transnational criminal activity.

1-31 (3) "Trespasser" has the meaning assigned by Section
1-32 75.007, Civil Practice and Remedies Code.

1-33 Art. 56C.002. GRANT PROGRAM. (a) From money appropriated
1-34 for the purpose, the attorney general shall establish and
1-35 administer a grant program to compensate landowners who suffer
1-36 property damage on agricultural land caused by a trespasser as a
1-37 result of an offense under Chapter 28, Penal Code, that was
1-38 committed in the course of or in furtherance of an offense under:

1-39 (1) Subchapter D, Chapter 481, Health and Safety Code;

1-40 (2) Section 20.05 or 38.04, Penal Code; or

1-41 (3) Chapter 20A, Penal Code.

1-42 (b) The attorney general shall establish:

1-43 (1) eligibility criteria for grant applicants;

1-44 (2) grant application procedures;

1-45 (3) criteria for evaluating grant applications and
1-46 awarding grants;

1-47 (4) guidelines related to grant amounts, provided that
1-48 the maximum amount awarded per grant may not exceed \$100,000; and

1-49 (5) procedures for monitoring the use of a grant
1-50 awarded under this article and ensuring compliance with any
1-51 conditions of the grant.

1-52 (c) The eligibility criteria established under Subsection
1-53 (b)(1) must include a requirement that the applicant reported the
1-54 property damage to an appropriate law enforcement agency promptly
1-55 after discovering the damage.

1-56 (d) In awarding a grant under this article, the attorney
1-57 general:

1-58 (1) shall give priority to:

1-59 (A) applicants who suffered property damage as a
1-60 result of an offense that was committed in the course of or in
1-61 furtherance of a border crime; and

2-1 (B) applicants who suffered damage to
2-2 structures, including fences, on the agricultural land; and

2-3 (2) may not consider the outcome of any criminal
2-4 prosecution arising out of the offense under Chapter 28, Penal
2-5 Code, as a result of which the applicant suffered property damage or
2-6 the applicable offense listed in Subsection (a)(1), (2), or (3).

2-7 Art. 56C.003. ANNUAL REPORT. Not later than the 100th day
2-8 after the end of each state fiscal year, the attorney general shall
2-9 submit to the governor and the legislature a report on the attorney
2-10 general's activities under this chapter during the preceding fiscal
2-11 year that includes the following information, disaggregated by each
2-12 offense listed in Articles 56C.002(a)(1), (2), and (3):

2-13 (1) the number of grant applications made;

2-14 (2) the number of grants awarded; and

2-15 (3) the amount of grant money distributed.

2-16 Art. 56C.004. PAYER OF LAST RESORT. The grant program
2-17 established under Article 56C.002 is a payer of last resort for
2-18 property damage described by that article.

2-19 SECTION 2. This Act takes effect September 1, 2023.

2-20 * * * * *