

BILL ANALYSIS

Senate Research Center
78R12573 GWK-D

H.B. 3377
By: Rangel et al (Lucio)
Criminal Justice
5/10/2003
Engrossed

DIGEST AND PURPOSE

The Sarita federal checkpoint on United States Highway 77, which is located in Kennedy County, generates many forfeiture cases. Kennedy County has 500 residents and also has minimal resources for its courts. H.B. 3377 allows certain cases to be held in an adjacent county under certain circumstances. Allowing these cases to be heard in other counties would ease the burden on Kennedy County courts caused by the presence of the checkpoint.

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 Article 59.05, Code of Criminal Procedure, by adding Subsection (g), to provide that if property is seized at a federal checkpoint, the notice of seizure and intended forfeiture may be filed in and the proceeding may be held in the county in which the seizure occurred; or with the consent of the owner, operator, or agent in charge of the property, in a county that is adjacent to the county in which the seizure occurred, if both counties are in the same judicial district.

SECTION 2. Effective date: September 1, 2003.