

By: Wise

H.B. No. 1726

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of proceeds from criminal asset forfeiture to
3 fund certain counseling for victims of crime.

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

5 SECTION 1. Article 59.06, Code of Criminal Procedure, is
6 amended by amending Subsection (i) and adding Subsection (p) to
7 read as follows:

8 (i) The governing body of a political subdivision may not
9 use funds received under this subchapter for programs or facilities
10 listed under Subsection (h)(1), (h)(2), (h)(3), or (p) [~~Subsections~~
11 ~~(h)(1)-(3)~~] if an officer of or member of the Board of Directors of
12 the entity providing the program or facility is related to a member
13 of the governing body, the attorney representing the state, or the
14 head of the law enforcement agency within the third degree by
15 consanguinity or the second degree by affinity.

16 (p) As a specific exception to the requirement of
17 Subdivisions (1)-(3) of Subsection (c) that the funds described by
18 those subdivisions be used only for the official purposes of the
19 attorney representing the state or for law enforcement purposes, on
20 agreement between the attorney representing the state or the head
21 of a law enforcement agency and the governing body of a political
22 subdivision, the attorney representing the state or the head of the
23 law enforcement agency shall comply with the request of the
24 governing body to deposit not more than a total of 10 percent of the

1 gross amount credited to the attorney's or agency's fund into the
2 treasury of the political subdivision. The governing body of the
3 political subdivision shall, by ordinance, order, or resolution,
4 use funds received under this subsection for child or family
5 counseling programs for victims of criminal offenses.

6 SECTION 2. This Act takes effect September 1, 2003.