

Amend **HB 840** on 3rd Reading by adding an appropriately numbered section to read as follows and by renumbering existing sections accordingly:

SECTION _____. Article 59.02, Code of Criminal Procedure, is amended by adding Subsection (j) to read as follows:

(j) Notwithstanding any other provision of this chapter, community property, property that is jointly owned, or property that was loaned by the owner or interest holder to another person for a reason other than to facilitate the commission of an offense is not subject to forfeiture if the spouse, joint owner, or owner or interest holder establishes by a preponderance of the evidence that:

(1) the spouse, joint owner, or owner or interest holder was not a party to the offense; and

(2) the actor in the criminal offense used or intended to use the property without the effective consent of the spouse or joint owner or used or intended to use the property in a manner not reasonably foreseen by the person loaning the property.