

BILL ANALYSIS

S.B. 1125
By: Hinojosa
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The least accountable special police forces in Texas are drug task forces that have declined funding through federal Byrne grants administered by the Governor's office. S.B. 1125 places those drug task forces that have previously refused federal grants under DPS command and control and channels 25 percent of asset forfeiture proceeds to county drug prevention and treatment.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1125 provides that a multicounty drug task force may be established and operated only after the Department of Public Safety confirms the strategic need for and the composition of the task force. The task force must and any county or municipality participating in the task force must comply with the policies and procedures established by DPS.

S.B. 1125 requires DPS to evaluate each task force for compliance with state and federal requirements, including DPS policies and procedures, and whether the task force demonstrates effective performance outcomes. DPS must submit a report of the evaluation to the governor's office and the Legislative Budget Board semiannually.

S.B. 1125 provides that the task force may retain 75 percent of the proceeds from the sale of forfeited property. The remaining 25 percent shall be deposited in a special fund in the treasury of the county in which the property was located at the time of the seizure. The commissioners court may utilize the money only for programs designed to prevent drug abuse, chemical dependency treatment programs, or any other service or program likely to reduce drug use in the county.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.