

By: Whitmire, et al.

S.B. No. 1874

A BILL TO BE ENTITLED

AN ACT

relating to the Automobile Theft Prevention Authority.

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

SECTION 1. The heading to Article 4413(37), Revised Statutes, is amended to read as follows:

Art. 4413(37). AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY

SECTION 2. Section 1, Article 4413(37), Revised Statutes, is amended to read as follows:

Sec. 1. DEFINITIONS. In this article:

(1) "Authority" means the Automobile Burglary and Theft Prevention Authority.

(2) "Economic automobile theft" means automobile burglary or theft committed for financial gain.

(3) "Department" means the Texas Department of Transportation.

(4) "Director" means the executive director of the Texas Department of Transportation.

SECTION 3. Section 2, Article 4413(37), Revised Statutes, is amended to read as follows:

Sec. 2. ESTABLISHMENT OF AUTHORITY. The Automobile Burglary and Theft Prevention Authority is established in the Texas Department of Transportation. The authority is not an advisory body to the Texas Department of Transportation.

1 SECTION 4. Section 6A(d), Article 4413(37), Revised  
2 Statutes, is amended to read as follows:

3 (d) Determinations made under this section shall be  
4 performed in accordance with procedures set forth in rules adopted  
5 by the authority [~~Automobile Theft Prevention Authority~~]. The  
6 question of eligibility for a refund is not a contested case within  
7 the meaning of the Administrative Procedure Act (Chapter 2001,  
8 Government Code).

9 SECTION 5. Section 7(b), Article 4413(37), Revised  
10 Statutes, is amended to read as follows:

11 (b) The plan of operation must include:

12 (1) an assessment of the scope of the problems of  
13 automobile burglary or theft and economic automobile theft,  
14 including particular areas of the state where the problems are  
15 greatest;

16 (2) an analysis of various methods of combating the  
17 problems of automobile burglary or theft and economic automobile  
18 theft;

19 (3) a plan for providing financial support to combat  
20 automobile burglary or theft and economic automobile theft; and

21 (4) an estimate of the funds required to implement the  
22 plan of operation.

23 SECTION 6. Section 8(a), Article 4413(37), Revised  
24 Statutes, is amended to read as follows:

25 (a) Money appropriated to the department for authority  
26 purposes shall be used by the authority to pay the department for  
27 administrative costs and to achieve the purposes of this article,

1 including:

2 (1) establishing and funding the automobile  
3 registration program required by Section 9 of this article;

4 (2) providing financial support to law enforcement  
5 agencies for economic automobile theft enforcement teams;

6 (3) providing financial support to law enforcement  
7 agencies, local prosecutors, judicial agencies, and neighborhood,  
8 community, business, and nonprofit organizations for programs  
9 designed to reduce the incidence of economic automobile theft;

10 (4) conducting educational programs designed to  
11 inform automobile owners of methods of preventing automobile  
12 burglary or theft;

13 (5) providing equipment, for experimental purposes,  
14 to assist automobile owners in preventing automobile burglary or  
15 theft; and

16 (6) establishing a uniform program to prevent stolen  
17 motor vehicles from entering Mexico.

18 SECTION 7. Section 11(a), Article 4413(37), Revised  
19 Statutes, is amended to read as follows:

20 (a) In this section, "automobile theft rate" means the ratio  
21 of automobile burglaries or thefts in this state to the number of  
22 automobiles in this state. The ratio shall be based on statistical  
23 information provided by the Department of Public Safety's uniform  
24 crime reporting division.

25 SECTION 8. This Act takes effect September 1, 2005.