

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 15, 2007

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB195 by Gonzalez Toureilles (Relating to the transfer of certain abandoned or forfeited property to county or municipal agencies or school districts.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to authorize a law enforcement agency to which abandoned or forfeited property has been transferred to transfer or loan the property to any other municipal or county agency or a school district for the use of that agency or district. If the property loaned is a motor vehicle, the municipal or county agency or school district to which the vehicle is loaned would be required to maintain any automobile insurance coverage for the vehicle that is required by law. The loaning agency would be required to keep and update records regarding the loaned property.

The Transportation Code would also be amended to authorize, after fulfilling requirements related to filing notice regarding abandonment, the transfer of an abandoned vehicle from a law enforcement agency to any municipal or county agency or a school district for that agency's or district's use.

Under current statute, while a law enforcement agency may transfer forfeited or abandoned property to a municipal or county law enforcement agency, there is no provision for a law enforcement agency to loan the property. Additionally, under current statute, the transfer of property is to another law enforcement agency only.

Local Government Impact

If a law enforcement agency were to loan an abandoned vehicle that has been taken into the agency's custody to another agency or a school district, the loaning agency would experience a savings in insurance expenses; however, the receiving agency or school district would incur those costs. Costs would vary depending on the vehicle.

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ES, DB