

Amend CSHB 3097 (House committee printing) as follows:

- (1) On page 1, line 21, after the semicolon, strike "and".
- (2) On page 1, line 22, strike "." and substitute "; and".
- (3) On page 1, between lines 22 and 23, insert:

"(4) Article 4413(37), Revised Statutes."

(4) Strike PART R of ARTICLE 2 of the bill (page 24, line 1 through page 28, line 25) and substitute the following:

PART R. AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY

SECTION 2R.01. Section 1(3), Article 4413(37), Revised Statutes, is amended to read as follows:

(3) "Department" means the Texas Department of Motor Vehicles [~~Transportation~~].

SECTION 2R.02. Section 2, Article 4413(37), Revised Statutes, is amended to read as follows:

Sec. 2. The Automobile Burglary and Theft Prevention Authority is a division [~~established~~] in the Texas Department of Motor Vehicles [~~Transportation~~]. [~~The authority is not an advisory body to the Texas Department of Transportation.~~]

SECTION 2R.03. Section 6, Article 4413(37), Revised Statutes, is amended by adding Subsections (j) and (k) to read as follows:

(j) In addition to any report required under Subsection (i), each year the authority shall prepare and submit an annual financial report in the form and manner required of a state agency by Section 2101.011, Government Code.

(k) The authority may not make a grant of appropriated funds unless the grant application is submitted to and approved by the governor, or a person in the office of the governor designated by the governor.

SECTION 2R.04. Section 8, Article 4413(37), Revised Statutes, is amended by adding Subsections (d) and (e) to read as follows:

(d) Money received by the authority under this article shall be sent to the comptroller for deposit in a separate account in the treasury.

(e) As part of the appropriation process the legislature shall determine and in the General Appropriations Act the

legislature shall specify the amount of money the authority may use to make grants or provide financial assistance under this article during each of the state fiscal years covered by the General Appropriations Act.

(5) Strike SECTION 4.02 of the bill (page 80, line 13 through page 81, line 2) and substitute the following:

SECTION 4.02. (a) All powers, duties, obligations, and rights of action of the Automobile Burglary and Theft Prevention Authority Office of the Texas Department of Transportation under Article 4413(37), Revised Statutes, are transferred to the Automobile Burglary and Theft Prevention Authority Division of the Texas Department of Motor Vehicles, and all powers, duties, obligations, and rights of action of the Texas Transportation Commission in connection or associated with the Automobile Burglary and Theft Prevention Authority Office of the Texas Department of Transportation are transferred to the board of the Texas Department of Motor Vehicles on November 1, 2009.

(b) In connection with the transfers required by Subsection (a) of this section, the personnel, furniture, computers, other property and equipment, files, and related materials used by the Automobile Burglary and Theft Prevention Authority Office of the Texas Department of Transportation are transferred to the Automobile Burglary and Theft Prevention Authority Division of the Texas Department of Motor Vehicles.

(c) The Automobile Burglary and Theft Prevention Authority Division of the Texas Department of Motor Vehicles shall continue any proceeding involving the Automobile Burglary and Theft Prevention Authority Office of the Texas Department of Transportation that was brought before the effective date of this Act in accordance with the law in effect on the date the proceeding was brought, and the former law is continued in effect for that purpose.

(d) A certificate, license, document, permit, registration, or other authorization issued by the Automobile Burglary and Theft Prevention Authority Office of the Texas Department of Transportation that is in effect on the effective date of this Act remains valid for the period for which it was issued unless

suspended or revoked by the Automobile Burglary and Theft Prevention Authority Division of the Texas Department of Motor Vehicles.

(e) A rule adopted by the Automobile Burglary and Theft Prevention Authority Office of the Texas Department of Transportation, the Texas Transportation Commission, or the director of the Texas Department of Transportation in connection with or relating to the Automobile Burglary and Theft Prevention Authority Office of that department continues in effect until it is amended or repealed by the board of the Texas Department of Motor Vehicles or the Automobile Burglary and Theft Prevention Authority Division of the Texas Department of Motor Vehicles, as applicable.

(f) The unobligated and unexpended balance of any appropriations made to the Texas Department of Transportation in connection with or relating to the Automobile Burglary and Theft Prevention Authority Office of that department for the state fiscal biennium ending August 31, 2009, is transferred and reappropriated to the Texas Department of Motor Vehicles for the purpose of implementing the powers, duties, obligations, and rights of action transferred to that department under Subsection (a) of this section.