

BILL ANALYSIS

H.B. 2062
By: Gallego
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, attorneys are authorized to transfer proceeds from the sale of forfeited property, after the deduction of court costs, to several different funds that may be used by the attorney solely for official purposes regarding the attorney's office or by law enforcement authorities for purposes including pay, equipment, and supplies.

H.B. 2062 authorizes an attorney representing the state to enter into a local agreement with the special rangers of the Texas and Southwestern Cattle Raisers Association that allows the attorney to transfer the proceeds into a special fund established for the special rangers to be used solely for law enforcement purposes such as training, essential equipment, and operating expenses.

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

H.B. 2062 amends the Code of Criminal Procedure to authorize an attorney representing the state in a forfeiture proceeding and special rangers of the Texas and Southwestern Cattle Raisers Association to enter into a local agreement that allows the attorney to transfer proceeds from the sale of forfeited property in a criminal case, after the deduction of certain court costs to which a district court clerk is entitled, to a special fund established for the special rangers. The bill requires these transferred proceeds to be used by the special rangers solely for law enforcement purposes, such as training, essential equipment, and operating expenses. The bill specifies that any expenditures of the proceeds are subject to the audit provisions established under state law on forfeiture of contraband.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.