

1-1 By: Flynn (Senate Sponsor - Gallegos) H.B. No. 358
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 21, 2009, read first time and referred to Committee on State
1-4 Affairs; May 23, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0, 1
1-6 present not voting; May 23, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 358 By: Van de Putte

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the seizure of the circuit board of a gambling device or
1-11 equipment, altered gambling equipment, or gambling paraphernalia.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 18, Code of Criminal Procedure, is
1-14 amended by adding Article 18.095 to read as follows:

1-15 Art. 18.095. SEIZURE OF CIRCUIT BOARD OF GAMBLING DEVICE,
1-16 EQUIPMENT, OR PARAPHERNALIA. For purposes of this chapter, an
1-17 officer directed under a search warrant to search for and seize a
1-18 gambling device or equipment, altered gambling equipment, or
1-19 gambling paraphernalia in the discretion of the officer may:

1-20 (1) seize only the programmable main circuit board of
1-21 the device, equipment, or paraphernalia if that circuit board is
1-22 designed as a subassembly or essential part of the device,
1-23 equipment, or paraphernalia to provide the information necessary
1-24 for the device, equipment, or paraphernalia to operate as a
1-25 gambling device or equipment, altered gambling equipment, or
1-26 gambling paraphernalia;

1-27 (2) carry the circuit board before the magistrate; and

1-28 (3) retain custody of the circuit board as the
1-29 property seized pursuant to the warrant as required under this
1-30 chapter.

1-31 SECTION 2. This Act takes effect September 1, 2009.

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