

By: Gonzalez Toureilles, King of Zavala

H.B. No. 453

Substitute the following for H.B. No. 453:

By: Driver

C.S.H.B. No. 453

A BILL TO BE ENTITLED

AN ACT

relating to the use of auction proceeds from the sale of certain abandoned motor vehicles to compensate certain property owners.

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

SECTION 1. Section 683.015, Transportation Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) A law enforcement agency may use funds received from the sale of a motor vehicle abandoned as a result of a vehicular pursuit involving the law enforcement agency and transferred under Subsection (d) to compensate property owners whose property was damaged as a result of the pursuit, regardless of whether the agency would be liable under Chapter 101, Civil Practice and Remedies Code. A payment for compensation under this subsection may not exceed any of the following amounts:

(1) the net proceeds received from the sale of the motor vehicle abandoned as a result of the pursuit;

(2) \$1,000 per property owner, if more than one property owner's property is damaged as a result of the pursuit; or

(3) the amount of the property owner's insurance deductible.

(g) Before a law enforcement agency may compensate a property owner under Subsection (f) using funds transferred to a county under Subsection (d), the sheriff or constable must submit the proposed payment for compensation for consideration at the next

1 regularly scheduled meeting of the commissioners court.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2009.