

1-1 By: Gonzalez Toureilles, King of Zavala H.B. No. 453  
1-2 (Senate Sponsor - Hinojosa)  
1-3 (In the Senate - Received from the House May 4, 2009;  
1-4 May 6, 2009, read first time and referred to Committee on Criminal  
1-5 Justice; May 20, 2009, reported favorably by the following vote:  
1-6 Yeas 7, Nays 0; May 20, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the use of auction proceeds from the sale of certain  
1-10 abandoned motor vehicles to compensate certain property owners.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 683.015, Transportation Code, is amended  
1-13 by adding Subsections (f) and (g) to read as follows:

1-14 (f) A county law enforcement agency may use funds received  
1-15 from the sale of a motor vehicle abandoned as a result of a  
1-16 vehicular pursuit involving the law enforcement agency and  
1-17 transferred under Subsection (d) to compensate property owners  
1-18 whose property was damaged as a result of the pursuit, regardless of  
1-19 whether the agency would be liable under Chapter 101, Civil  
1-20 Practice and Remedies Code. A payment for compensation under this  
1-21 subsection may not exceed any of the following amounts:

1-22 (1) the net proceeds received from the sale of the  
1-23 motor vehicle abandoned as a result of the pursuit;

1-24 (2) \$1,000 per property owner, if more than one  
1-25 property owner's property is damaged as a result of the pursuit; or

1-26 (3) the amount of the property owner's insurance  
1-27 deductible.

1-28 (g) Before a law enforcement agency may compensate a  
1-29 property owner under Subsection (f) using funds transferred to a  
1-30 county under Subsection (d), the sheriff or constable must submit  
1-31 the proposed payment for compensation for consideration, and the  
1-32 commissioners court shall consider the proposed payment for  
1-33 compensation, at the next regularly scheduled meeting of the  
1-34 commissioners court.

1-35 SECTION 2. This Act takes effect immediately if it receives  
1-36 a vote of two-thirds of all the members elected to each house, as  
1-37 provided by Section 39, Article III, Texas Constitution. If this  
1-38 Act does not receive the vote necessary for immediate effect, this  
1-39 Act takes effect September 1, 2009.

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