

By: West

S.B. No. 1707

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the use of proceeds from criminal asset forfeiture to  
3 provide college scholarships to children of peace officers killed  
4 in the line of duty and to an annual report regarding the total  
5 value of forfeited property in this state.

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

7 SECTION 1. Article 59.06, Code of Criminal Procedure, is  
8 amended by adding Subsections (r) and (s) to read as follows:

9 (r) As a specific exception to Subsection (c)(2), (3), or  
10 (4), a law enforcement agency may transfer not more than 10 percent  
11 of the gross amount credited to the agency's fund to a separate  
12 special fund in the treasury of the political subdivision or state  
13 law enforcement agency, as applicable. The law enforcement agency  
14 shall administer the separate special fund. Interest received from  
15 the investment of money in the fund shall be credited to the fund.  
16 The agency may use money in the fund only to provide scholarships to  
17 children of peace officers who were employed by the agency or by  
18 another law enforcement agency with which the agency has  
19 overlapping geographic jurisdiction and who were killed in the line  
20 of duty. Scholarships under this subsection may be used only to pay  
21 the costs of attendance at an institution of higher education or  
22 private or independent institution of higher education, including  
23 tuition and fees and costs for housing, books, supplies,  
24 transportation, and other related personal expenses. In this

1 subsection, "institution of higher education" and "private or  
2 independent institution of higher education" have the meanings  
3 assigned by Section 61.003, Education Code.

4 (s) Not later than April 1 of each year, the attorney  
5 general shall develop a report detailing the total value of  
6 forfeited property in this state in the preceding calendar year, as  
7 specified according to the law enforcement agency seizing the  
8 property. The attorney general shall maintain in a prominent  
9 location on its publicly accessible Internet website a link to the  
10 most recent annual report developed under this subsection.

11 SECTION 2. This Act takes effect September 1, 2009.