

1-1 By: West S.B. No. 1707
1-2 (In the Senate - Filed March 10, 2009; March 20, 2009, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 May 1, 2009, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; May 1, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the use of proceeds from criminal asset forfeiture to
1-9 provide college scholarships to children of peace officers killed
1-10 in the line of duty and to an annual report regarding the total
1-11 value of forfeited property in this state.

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

1-13 SECTION 1. Article 59.06, Code of Criminal Procedure, is
1-14 amended by adding Subsections (r) and (s) to read as follows:

1-15 (r) As a specific exception to Subsection (c)(2), (3), or
1-16 (4), a law enforcement agency may transfer not more than 10 percent
1-17 of the gross amount credited to the agency's fund to a separate
1-18 special fund in the treasury of the political subdivision or state
1-19 law enforcement agency, as applicable. The law enforcement agency
1-20 shall administer the separate special fund. Interest received from
1-21 the investment of money in the fund shall be credited to the fund.
1-22 The agency may use money in the fund only to provide scholarships to
1-23 children of peace officers who were employed by the agency or by
1-24 another law enforcement agency with which the agency has
1-25 overlapping geographic jurisdiction and who were killed in the line
1-26 of duty. Scholarships under this subsection may be used only to pay
1-27 the costs of attendance at an institution of higher education or
1-28 private or independent institution of higher education, including
1-29 tuition and fees and costs for housing, books, supplies,
1-30 transportation, and other related personal expenses. In this
1-31 subsection, "institution of higher education" and "private or
1-32 independent institution of higher education" have the meanings
1-33 assigned by Section 61.003, Education Code.

1-34 (s) Not later than April 1 of each year, the attorney
1-35 general shall develop a report detailing the total value of
1-36 forfeited property in this state in the preceding calendar year, as
1-37 specified according to the law enforcement agency seizing the
1-38 property. The attorney general shall maintain in a prominent
1-39 location on its publicly accessible Internet website a link to the
1-40 most recent annual report developed under this subsection.

1-41 SECTION 2. This Act takes effect September 1, 2009.

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