

Amend SB 316 (house committee report) as follows:

(1) On page 2, line 1, strike "and (d-2)" and substitute "(d-2), and (d-3)".

(2) On page 3, line 27, to page 4, line 1, strike "as an official purpose of the agency or attorney" and substitute "as a law enforcement purpose or an official purpose of office, as appropriate,".

(3) On page 4, between lines 13 and 14, insert:

(d-3) To clarify whether the use of property or the use of proceeds from the disposition of property is authorized under this article, the attorney general shall adopt rules specifying the uses that are considered to be made for:

(1) official purposes of the office of the attorney representing the state; and

(2) law enforcement purposes of a municipal, county, or state law enforcement agency.

(4) On page 4, line 26, between "training," and "investigative", insert "and".

(5) On page 4, line 26, strike "and other items" and substitute "and must specify whether those expenditures were made in accordance with rules adopted by the attorney general under Subsection (d-3)".

(6) On page 6, between lines 21 and 22, insert the following:

(d) The law enforcement agency or attorney representing the state shall reimburse the state auditor for costs incurred by the state auditor in performing an audit under this article.

(7) On page 9, strike lines 2-23 and substitute the following:

SECTION 4. The changes in law made by this Act in amending Article 59.03, Code of Criminal Procedure, apply only to property seized on or after September 1, 2011.

SECTION 5. (a) Except as provided by Section 6 of this Act, the changes in law made by this Act in amending Article 59.06, Code of Criminal Procedure, apply to the disposition or use, on or after September 1, 2011, of proceeds or property received by a law enforcement agency or attorney representing the state under Chapter

59, Code of Criminal Procedure, regardless of whether the receipt of the proceeds or property occurred before, on, or after September 1, 2011.

(b) The attorney general shall adopt the rules required by Article 59.06(d-3), Code of Criminal Procedure, as added by this Act, as soon as practicable after this Act takes effect. For that purpose, the attorney general may adopt the rules in the manner provided by law for emergency rules.

SECTION 6. The changes in law made by this Act in amending Article 59.06(g), Code of Criminal Procedure, and adding Articles 59.061 and 59.062, Code of Criminal Procedure, apply to any audit performed on or after September 1, 2011.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.