

Amend SB 316 (house committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Article 59.06, Code of Criminal Procedure, is amended by adding Subsection (c-3) to read as follows:

(c-3) Notwithstanding Subsection (a), with respect to forfeited property seized in connection with a violation of Chapter 481, Health and Safety Code (Texas Controlled Substances Act), by a peace officer employed by the Department of Public Safety, in a proceeding under Article 59.05 in which a default judgment is rendered in favor of the state, the attorney representing the state shall enter into a local agreement with the department that allows the attorney representing the state either to:

(1) transfer forfeited property to the department to maintain, repair, use, and operate for official purposes in the manner provided by Subsection (b); or

(2) allocate proceeds from the sale of forfeited property described by Subsection (c), after the deduction of court costs as described by that subsection, in the following proportions:

(A) 40 percent to a special fund in the department to be used solely for law enforcement purposes;

(B) 30 percent to a special fund in the county treasury for the benefit of the office of the attorney representing the state, to be used by the attorney solely for the official purposes of the attorney's office; and

(C) 30 percent to the general revenue fund.

SECTION _____. Article 59.06(c-3), Code of Criminal Procedure, as added by this Act, applies to property seized or taken into custody on or after the effective date of this Act. Property seized or taken into custody before the effective date of this Act is governed by the law in effect on the date the property is seized or taken into custody, and the former law is continued in effect for that purpose.

(2) In SECTION 5 of the bill, on page 9, strike lines 10 and 11, and substitute "The changes in law made by this Act in adding Subsections (c-2), (d-1), and (d-2), Article 59.06, Code of

Criminal Procedure, and amending Subsection (d), Article 59.06, Code of".

(3) Renumber remaining SECTIONS of the bill as appropriate.