

## **BILL ANALYSIS**

H.B. 3320  
By: Hunter  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

A law enforcement agency that directs the towing and storage of a motor vehicle for an evidentiary or examination purpose pays the cost of the towing and storage instead of the owner of the vehicle. Interested parties contend that this places a financial burden on law enforcement agencies and on privately owned vehicle storage facilities when law enforcement agencies do not have the funds to cover the costs. The parties note that under prior law courts would determine whether law enforcement or the vehicle owner was responsible for paying towing and storage costs. H.B. 3320 seeks to allow a court to determine which party should pay the costs by repealing the law requiring law enforcement agencies to pay the vehicle towing and storage costs.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3320 repeals Article 18.23, Code of Criminal Procedure, requiring a law enforcement agency that directs the towing and storage of a motor vehicle for an evidentiary or examination purpose to pay the cost of the towing and storage.

H.B. 3320 amends the Occupations Code and the Transportation Code to make conforming changes.

### **EFFECTIVE DATE**

September 1, 2011.