

BILL ANALYSIS

H.B. 3422
By: Lozano
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law entitles a law enforcement agency to reimbursement from the proceeds of the sale of an abandoned motor vehicle, watercraft, or outboard motor for certain costs incurred from taking the vehicle into custody and auctioning the vehicle. A county law enforcement agency is authorized to use certain excess funds received from the sale of a motor vehicle abandoned as a result of a vehicular pursuit involving the agency after deducting the reimbursement to compensate property owners whose property was damaged as a result of the pursuit. Additionally, before a law enforcement agency may provide such compensation, the proposed payment must be submitted to the county commissioners court for consideration. H.B. 3422 seeks to revise current statutes relating to the use of auction proceeds from the sale of certain abandoned vehicles to compensate property owners.

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. 3422 amends the Transportation Code to authorize a law enforcement agency to use certain excess funds from the sale of an abandoned motor vehicle, watercraft, or outboard motor transferred to a municipality's or county's general revenue fund to compensate property owners whose property was damaged as a result of a pursuit involving the law enforcement agency, rather than authorizing a county law enforcement agency to use funds received from the sale of a motor vehicle abandoned as a result of a vehicular pursuit involving the agency transferred as previously described to compensate property owners for damage resulting from the pursuit. The bill removes provisions of law limiting the amount of payment for such compensation. The bill repeals a provision of law requiring a sheriff or constable, before a law enforcement agency may compensate a property owner in such a manner, to submit a proposed payment for the compensation to the commissioners court for consideration and requiring the commissioners court to consider the proposed payment at its next regularly scheduled meeting.

H.B. 3422 repeals Section 683.015(g), Transportation Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.