

By: Lucio

S.B. No. 1466

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the powers and duties of the Vehicle and Watercraft
3 Crime Prevention Authority and to the creation of the vehicle and
4 watercraft crime prevention account.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. The heading to Article 4413(37), Revised
7 Statutes, is amended to read as follows:

8 Art. 4413(37). VEHICLE AND WATERCRAFT CRIME [~~AUTOMOBILE~~
9 ~~BURGLARY AND THEFT~~] PREVENTION AUTHORITY

10 SECTION 2. Section 1, Article 4413(37), Revised Statutes,
11 is amended by amending Subdivisions (1) and (5) and adding
12 Subdivisions (4-a) and (6) to read as follows:

13 (1) "Authority" means the Vehicle and Watercraft Crime
14 [~~Automobile Burglary and Theft~~] Prevention Authority.

15 (4-a) "Economic watercraft theft" means watercraft
16 burglary or theft committed for financial gain.

17 (5) "Motor vehicle" means a self-propelled vehicle,
18 [~~or~~] a vehicle, trailer, or semitrailer designed for use with a
19 self-propelled vehicle, an all-terrain vehicle or a recreational
20 off-highway vehicle, as those terms are defined by Section 502.001,
21 Transportation Code, or a motorcycle, motor-driven cycle, or
22 moped. The term does not include a vehicle that runs exclusively
23 on fixed rails or tracks or a piece of equipment operated solely on
24 private property.

1 (6) "Watercraft" means any boat, motorboat, or
2 personal watercraft, other than a seaplane on water, used or
3 capable of being used for transportation on water.

4 SECTION 3. Section 1(2), Article 4413(37), Revised
5 Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B.
6 3225), Acts of the 80th Legislature, Regular Session, 2007, is
7 reenacted to read as follows:

8 (2) "Economic motor vehicle theft" means motor vehicle
9 burglary or theft committed for financial gain.

10 SECTION 4. Section 2, Article 4413(37), Revised Statutes,
11 is amended to read as follows:

12 Sec. 2. ESTABLISHMENT OF AUTHORITY. The Vehicle and
13 Watercraft Crime [~~Automobile Burglary and Theft~~] Prevention
14 Authority is established in the Texas Department of Motor Vehicles.
15 The authority is not an advisory body to the Texas Department of
16 Motor Vehicles.

17 SECTION 5. Section 7(b), Article 4413(37), Revised
18 Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B.
19 3225), Acts of the 80th Legislature, Regular Session, 2007, is
20 reenacted and amended to read as follows:

21 (b) The plan of operation must include:

22 (1) an assessment of the scope of the problems of motor
23 vehicle burglary or theft, watercraft burglary or theft, [~~and~~]
24 economic motor vehicle theft, and economic watercraft theft,
25 including particular areas of the state where the problems are
26 greatest;

27 (2) an analysis of various methods of combating the

1 problems of motor vehicle burglary or theft, watercraft burglary or
2 theft, [~~and~~] economic motor vehicle theft, and economic watercraft
3 theft;

4 (3) a plan for providing financial support to combat
5 motor vehicle burglary or theft, watercraft burglary or theft,
6 [~~and~~] economic motor vehicle theft, and economic watercraft theft;
7 and

8 (4) an estimate of the funds required to implement the
9 plan of operation.

10 SECTION 6. Section 8(a), Article 4413(37), Revised
11 Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B.
12 3225), Acts of the 80th Legislature, Regular Session, 2007, is
13 reenacted and amended to read as follows:

14 (a) Money appropriated to the department for authority
15 purposes shall be used by the authority to pay the department for
16 administrative costs and to achieve the purposes of this article,
17 including:

18 (1) establishing and funding the motor vehicle
19 registration program required by Section 9 of this article;

20 (2) providing financial support to law enforcement
21 agencies for economic motor vehicle theft and economic watercraft
22 theft enforcement teams;

23 (3) providing financial support to law enforcement
24 agencies, local prosecutors, judicial agencies, and neighborhood,
25 community, business, and nonprofit organizations for programs
26 designed to reduce the incidence of economic motor vehicle theft
27 and economic watercraft theft;

1 (4) conducting educational programs designed to
2 inform motor vehicle and watercraft owners of methods of preventing
3 motor vehicle and watercraft burglary or theft;

4 (5) providing equipment, for experimental purposes,
5 to assist motor vehicle and watercraft owners in preventing motor
6 vehicle and watercraft burglary or theft; and

7 (6) establishing a uniform program to prevent stolen
8 motor vehicles and watercraft from entering Mexico.

9 SECTION 7. Section 10(a), Article 4413(37), Revised
10 Statutes, is amended by adding Subdivision (3) to read as follows:

11 (3) "Watercraft years of insurance" means the total
12 number of years or portions of years during which a watercraft is
13 covered by insurance.

14 SECTION 8. Section 10, Article 4413(37), Revised Statutes,
15 is amended by amending Subsection (b) and adding Subsection (e) to
16 read as follows:

17 (b) An insurer shall pay to the authority a fee equal to the
18 sum of \$2.50 [~~\$1~~] multiplied by the total number of motor vehicle
19 years of insurance for insurance policies delivered, issued for
20 delivery, or renewed by the insurer and \$2.50 multiplied by the
21 total number of watercraft years of insurance for insurance
22 policies delivered, issued for delivery, or renewed by the insurer.

23 The fee shall be paid not later than:

24 (1) March 1 of each year for a policy issued,
25 delivered, or renewed from July 1 through December 31 of the
26 previous calendar year; and

27 (2) August 1 of each year for a policy issued,

1 delivered, or renewed from January 1 through June 30 of that year.

2 (e) Sixty percent of each fee collected under Subsection (b)
3 of this section shall be deposited to the credit of the vehicle and
4 watercraft crime prevention account.

5 SECTION 9. Article 4413(37), Revised Statutes, is amended
6 by adding Section 10A to read as follows:

7 Sec. 10A. VEHICLE AND WATERCRAFT CRIME PREVENTION ACCOUNT.

8 (a) The vehicle and watercraft crime prevention account is an
9 account in the general revenue fund that shall be appropriated only
10 to the authority to pay administrative costs and to achieve the
11 purposes of this article.

12 (b) The account consists of money deposited to the credit of
13 the account, including money deposited under Section 10(e) of this
14 article.

15 (c) Interest on the account shall be credited to the
16 account.

17 (d) Section 403.095, Government Code, does not apply to the
18 account.

19 SECTION 10. Section 11(a), Article 4413(37), Revised
20 Statutes, as amended by Chapters 308 (H.B. 1887) and 927 (H.B.
21 3225), Acts of the 80th Legislature, Regular Session, 2007, is
22 reenacted to read as follows:

23 (a) In this section, "motor vehicle theft rate" means the
24 ratio of motor vehicle burglaries or thefts in this state to the
25 number of motor vehicles in this state. The ratio shall be based on
26 statistical information provided by the Department of Public
27 Safety's uniform crime reporting division.

1 SECTION 11. The change in law made by this Act applies only
2 to an insurance policy issued, delivered, or renewed on or after the
3 effective date of this Act. An insurance policy issued, delivered,
4 or renewed before the effective date of this Act is governed by the
5 law in effect on the date the insurance policy was issued,
6 delivered, or renewed, and the former law is continued in effect for
7 that purpose.

8 SECTION 12. This Act takes effect September 1, 2011.