

AN ACT

relating to a grant program to support the prosecution of certain crimes.

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

SECTION 1. Chapter 772, Government Code, is amended by adding Section 772.0071 to read as follows:

Sec. 772.0071. PROSECUTION OF BORDER CRIME GRANT PROGRAM.

(a) In this section:

(1) "Border crime" means any crime that occurs in the border region and that undermines public safety or security, including an offense:

(A) during the prosecution of which an affirmative finding may be requested under Section 3g(a)(2), Article 42.12, Code of Criminal Procedure;

(B) under Chapter 19, 20, 20A, 46, or 71, Penal Code;

(C) under Title 7 or 8, Penal Code;

(D) under Chapter 481, Health and Safety Code;

(E) committed by a person who is not a citizen or national of the United States and is not lawfully present in the United States; or

(F) that is coordinated with or related to activities or crimes that occur or are committed in the United Mexican States.

1 (2) "Border region" means the portion of this state
2 that is located in a county that is adjacent to:

3 (A) an international border; or

4 (B) a county described by Paragraph (A).

5 (3) "Criminal justice division" means the criminal
6 justice division established under Section 772.006.

7 (4) "Eligible prosecuting attorney" means an attorney
8 in a border region who represents the state in the prosecution of
9 felonies.

10 (b) The criminal justice division shall establish and
11 administer a grant program through which an eligible prosecuting
12 attorney or the attorney's office may apply for a grant to support
13 the prosecution of border crime in a county or counties under the
14 jurisdiction of the attorney.

15 (c) The criminal justice division shall establish:

16 (1) additional eligibility criteria for grant
17 applicants;

18 (2) grant application procedures;

19 (3) guidelines relating to grant amounts;

20 (4) procedures for evaluating grant applications; and

21 (5) procedures for monitoring the use of a grant
22 awarded under the program and ensuring compliance with any
23 conditions of a grant.

24 (d) Undedicated and unobligated funds in the operators and
25 chauffeurs license account may be appropriated only to the criminal
26 justice division for the purpose of awarding grants under this
27 section. The account is exempt from the application of Section

1 403.095.

2 (e) The criminal justice division shall include in the
3 biennial report required by Section 772.006(a)(9) a detailed
4 reporting of the results and performance of the grant program
5 administered under this section.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1649 passed the Senate on May 4, 2011, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1649 passed the House, with amendment, on May 23, 2011, by the following vote: Yeas 142, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor