

By: Watson

S.B. No. 1649

A BILL TO BE ENTITLED

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:

- 3 (A) that is adjacent to an international border;
4 (B) in which a border checkpoint is located; or
5 (C) that includes a major geographic area in
6 which offenses under Section 20A.02, Penal Code, or offenses of a
7 transnational character are committed, as determined by the
8 criminal justice division.

9 (3) "Criminal justice division" means the criminal
10 justice division established under Section 772.006.

11 (4) "Eligible prosecuting attorney" means an attorney
12 in a border region who represents the state in the prosecution of
13 felonies.

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

19 (c) The criminal justice division shall establish:

20 (1) additional eligibility criteria for grant
21 applicants;

22 (2) grant application procedures;

23 (3) guidelines relating to grant amounts;

24 (4) procedures for evaluating grant applications; and

25 (5) procedures for monitoring the use of a grant
26 awarded under the program and ensuring compliance with any
27 conditions of a grant.

1 (d) Money in the fugitive apprehension account may be
2 appropriated only to the criminal justice division for the purpose
3 of awarding grants under this section. The account is exempt from
4 the application of Section 403.095.

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

9 SECTION 2. Section 411.0091(c), Government Code, is
10 repealed.

11 SECTION 3. Not later than October 1, 2011, the criminal
12 justice division of the governor's office shall establish the
13 prosecution of border crime grant program required by Section
14 772.0071, Government Code, as added by this Act, and, not later than
15 January 1, 2012, shall award the first grants under that program.

16 SECTION 4. This Act takes effect September 1, 2011.