

By: Guillen

H.B. No. 1931

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the compensation of property owners whose property is  
3 damaged as a result of a suspect fleeing apprehension by a peace  
4 officer.

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

6 SECTION 1. Section 683.015, Transportation Code, is amended  
7 by amending Subsections (d), (f), and (g) and adding Subsection (h)  
8 to read as follows:

9 (d) A municipality or county may transfer funds in excess of  
10 \$1,000 from the account to the municipality's or county's general  
11 revenue account to be used by the law enforcement agency or the  
12 attorney representing the state.

13 (f) A law enforcement agency or an attorney representing the  
14 state may use funds transferred under Subsection (d) to compensate  
15 property owners whose property was damaged as a result of a pursuit  
16 involving a [the] law enforcement agency, regardless of whether the  
17 agency would be liable under Chapter 101, Civil Practice and  
18 Remedies Code.

19 (g) Before a law enforcement agency or an attorney  
20 representing the state may compensate a property owner under  
21 Subsection (f) using funds transferred to a county under Subsection  
22 (d), the sheriff, [or] constable, or attorney representing the  
23 state must submit the proposed payment for compensation for  
24 consideration, and the commissioners court shall consider the

1 proposed payment for compensation, at the next regularly scheduled  
2 meeting of the commissioners court.

3 (h) In this section, "attorney representing the state"  
4 means a district attorney, criminal district attorney, or county  
5 attorney performing the duties of a district attorney.

6 SECTION 2 Article 59.06, Code of Criminal Procedure, as  
7 amended by this Act, applies to personal property seized or taken  
8 into custody on or after the effective date of this Act. Personal  
9 property seized or taken into custody before the effective date of  
10 this Act is governed by the law in effect on the date the property is  
11 seized or taken into custody, and the former law is continued in  
12 effect for that purpose.

13 SECTION 3 This Act takes effect September 1, 2013.