

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 1, 2013

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB367 by Whitmire (Relating to the disposition of abandoned or unclaimed property seized at the time of certain arrests.), **As Passed 2nd House**

<p>No fiscal implication to the State is anticipated.</p>
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The bill would allow a law enforcement agency to provide notice to an owner of unclaimed property that was seized at the time of arrest for a Class C misdemeanor. The notice would be required to: be signed by the owner of the property upon receipt; describe the property being held; state the address where the property is being held; and inform the owner that he or she has 31 days to claim the property upon release from custody.

The agency holding the property for disposition would not be required to mail or publish a notice as otherwise required by Article 18.17 Subsections (b), (c), and (d), Code of Criminal Procedure, if the owner of the property signs the notice but does not claim the property within the allotted time.

Local Government Impact

Providing notice as described by the bill could provide additional workload for local law enforcement, but it is assumed that this could be absorbed within existing resources. It is also assumed that law enforcement would only choose to provide notice if sufficient resources were available.

Source Agencies:

LBB Staff: UP, ESi, KKR