

By: Hernandez

H.B. No. 530

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of proceeds from criminal asset forfeiture to
3 provide college scholarships to children of peace officers killed
4 in the line of duty and to an annual report regarding the total
5 value of forfeited property in this state.

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

7 SECTION 1. Article 59.06, Code of Criminal Procedure, is
8 amended by adding Subsections (r) and (s) to read as follows:

9 (r) As a specific exception to Subsection (c)(2), (3), or
10 (4), a law enforcement agency may transfer not more than 10 percent
11 of the gross amount credited to the agency's fund to a separate
12 special fund established in the treasury of the political
13 subdivision or maintained by the state law enforcement agency, as
14 applicable. The law enforcement agency shall administer the
15 separate special fund. Interest received from the investment of
16 money in the fund shall be credited to the fund. The agency may use
17 money in the fund only to provide scholarships to children of peace
18 officers who were employed by the agency or by another law
19 enforcement agency with which the agency has overlapping geographic
20 jurisdiction and who were killed in the line of duty. Scholarships
21 under this subsection may be used only to pay the costs of
22 attendance at an institution of higher education or private or
23 independent institution of higher education, including tuition and
24 fees and costs for housing, books, supplies, transportation, and

1 other related personal expenses. In this subsection, "institution
2 of higher education" and "private or independent institution of
3 higher education" have the meanings assigned by Section 61.003,
4 Education Code.

5 (s) Not later than February 1 of each year, the attorney
6 general shall develop a report based on information submitted by
7 law enforcement agencies and attorneys representing the state under
8 Subsection (g) detailing the total amount of funds forfeited, or
9 credited after the sale of forfeited property, in this state in the
10 preceding calendar year. The attorney general shall maintain in a
11 prominent location on the attorney general's publicly accessible
12 Internet website a link to the most recent annual report developed
13 under this subsection.

14 SECTION 2. This Act takes effect September 1, 2015.