

By: Huffines

S.B. No. 662

A BILL TO BE ENTITLED

AN ACT

relating to the reporting of proceeds and property from asset forfeiture proceedings under the Code of Criminal Procedure.

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

SECTION 1. Article 59.06(g)(1), Code of Criminal Procedure, is amended to read as follows:

(1) All law enforcement agencies and attorneys representing the state who receive proceeds or property under this chapter shall account for the seizure, forfeiture, receipt, and specific expenditure of all the proceeds and property in an audit, which is to be performed annually by the commissioners court or governing body of a municipality, as appropriate. The annual period of the audit for a law enforcement agency is the fiscal year of the appropriate county or municipality and the annual period for an attorney representing the state is the state fiscal year. The audit must be completed on a form provided by the attorney general and must include a detailed report and explanation of all expenditures, including salaries and overtime pay, officer training, investigative equipment and supplies, and other items. The audit must also include a detailed report that itemizes all seizures of proceeds or property under this chapter and that indicates the specific criminal offense on which each seizure was based and, if charges were brought in connection with the offense, the disposition of those charges. Certified copies of the audit

1 shall be delivered by the law enforcement agency or attorney
2 representing the state to the attorney general not later than the
3 60th day after the date on which the annual period that is the
4 subject of the audit ends.

5 SECTION 2. Article 59.06, Code of Criminal Procedure, is
6 amended by adding Subsection (g-1) to read as follows:

7 (g-1) Not later than February 1 of each year, the attorney
8 general shall publish a report summarizing the results of the
9 audits received during the preceding calendar year. The attorney
10 general shall make the report available to the public on the
11 attorney general's Internet website.

12 SECTION 3. The changes in law made by this Act in amending
13 Article 59.06(g)(1), Code of Criminal Procedure, apply to any audit
14 performed under that subdivision on or after the effective date of
15 this Act.

16 SECTION 4. This Act takes effect September 1, 2017.