

## **BILL ANALYSIS**

C.S.H.B. 1094  
By: Cunningham  
Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Current law requires local law enforcement to publish notices of unclaimed or seized property in an applicable newspaper of general circulation. This law was written when newspapers were more widely read and circulated and were a main method of mass communication. Local law enforcement officials have requested a more efficient and cost-effective method of publishing notice of unclaimed or seized property that is more fitting for modern times. C.S.H.B. 1094 seeks to allow these notices to be posted online and on social media rather than in the newspaper.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1094 amends the Code of Criminal Procedure to revise the procedures governing the disposition of unclaimed or abandoned personal property seized by a peace officer to provide an alternative to mailing notices or publishing the notices in a newspaper, as applicable, wherein the notice requirement could instead be satisfied by placing a one-time notice on the Internet website and social networking website of the law enforcement agency that seized the property. These provisions apply only to personal property seized by a peace officer on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 1094 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced removed the provision in current law excluding whiskey, wine, and malt beverages from the regular process for delivery for ultimate disposition of unclaimed property or abandoned property seized by a peace officer, the substitute does not remove that provision from current law.