88R8751 JRR-D

By:  Allison H.B. No. 2038

A BILL TO BE ENTITLED

AN ACT

relating to the use of proceeds from the sale of forfeited property to reimburse persons who suffered agricultural property damage as a result of an offense involving the unlawful entry into the United States.

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

SECTION 1.  Article 59.06, Code of Criminal Procedure, is amended by adding Subsection (v) to read as follows:

(v)  As a specific exception to Subsection (c)(1), the office of the attorney representing the state may use proceeds received under this chapter for the purpose of providing reimbursements under a program established by the office under Article 59.15.

SECTION 2.  Chapter 59, Code of Criminal Procedure, is amended by adding Article 59.15 to read as follows:

Art. 59.15.  REIMBURSEMENT PROGRAM FOR AGRICULTURAL PROPERTY DAMAGE RESULTING FROM OFFENSE INVOLVING UNLAWFUL ENTRY INTO UNITED STATES. (a) This section applies only to an office of an attorney representing the state that:

(1)  has executed a local agreement with law enforcement agencies under this chapter; and

(2)  is located in a county that borders the United Mexican States.

(b)  Each office of an attorney representing the state to which this section applies shall:

(1)  establish and administer a program to reimburse persons who suffered damage to agricultural property as a result of an offense that:

(A)  is subject to the jurisdiction of the office; and

(B)  was committed in the course of or for the purpose of unlawfully entering the United States;

(2)  establish:

(A)  eligibility criteria for reimbursements under Subdivision (1);

(B)  reimbursement application procedures; and

(C)  procedures for evaluating reimbursement applications; and

(3)  use proceeds received by the office under this chapter for the purpose of providing reimbursements under Subdivision (1).

SECTION 3.  This Act takes effect September 1, 2023.