

## **BILL ANALYSIS**

Senate Research Center  
89R84 EAS-F

H.B. 1261  
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Criminal Justice  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current Texas law requires local law enforcement agencies to publish notices of unclaimed or seized property in a paper of general circulation. This provision in the Code of Criminal Procedure was established when newspapers were more widely read and physically distributed. That is no longer the case today, as most people view the news on their phones and on the Internet. Law enforcement officers have expressed concerns over both the cost of publishing notices and the cost of building portable buildings to hold this unclaimed or seized property.

H.B. 1261 seeks to alleviate these concerns and allow law enforcement the ability to post these notices of seized or unclaimed property on the Internet and social networking websites utilized by the law enforcement agency.

H.B. 1261 amends current law relating to the disposition of abandoned or unclaimed property seized by a peace officer.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Articles 18.17(a), (b), (c), and (d), Code of Criminal Procedure, as follows:

(a) Makes nonsubstantive changes to this subsection.

(b) Requires the county purchasing agent, the person designated by the municipality, or the sheriff of the county, as the case may be, to mail a notice to the last known address of the owner of the property by certified mail or place a one-time notice on the Internet website and social networking website of the law enforcement agency that seized the property. Makes nonsubstantive changes.

(c) Requires the county purchasing agent, or the sheriff, as the case may be, to publish a notice, rather than cause to be published, once in a paper of general circulation in the municipality or county or place a one-time notice on the Internet website and social networking website of the law enforcement agency that seized the property. Makes conforming and nonsubstantive changes.

(d) Requires that the sale under Article 18.17 (Disposition of Abandoned or Unclaimed Property) of any property that has a fair market value of \$500 or more to be preceded by a notice published once at least 14 days before the date of the sale in a newspaper of general circulation in the municipality or county where the sale is to take place or placed once on the Internet website and social networking website of the law enforcement agency that seized the property at least 14 days before the date of the sale. Makes conforming and nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.