

SUBJECT: Compensating certain owners of property damaged by law enforcement

COMMITTEE: Homeland Security and Public Safety — committee substitute recommended

VOTE: 8 ayes — Pickett, Fletcher, Dale, Flynn, Kleinschmidt, Lavender, Sheets, Simmons
0 nays
1 absent — Cortez

WITNESSES: For — Robert Howard, South Texans Property Rights Association; Jason Skaggs, TSCRA
Against — None
On — Joe Peters, Texas Department of Public Safety

BACKGROUND: Transportation Code, sec. 683.015 allows a law enforcement agency to recoup expenses from the sale of an abandoned vehicle for the cost to auction, tow, store, and provide notice of abandonment. Sec. 683.015 (d) allows a municipality or county to transfer vehicle auction proceeds in excess of \$1,000 to the local general revenue account to be used by the law enforcement agency.
Sec. 683.015 (f) allows a law enforcement agency to use funds from auction proceeds to compensate property owners whose property was damaged as a result of law enforcement pursuit.

DIGEST: CSHB 1931 would allow a county with a population of 150,000 or less or a city in a county with a population of 150,000 or less to transfer money given to the law enforcement agency from an abandoned vehicle auction to the state prosecutor if the funds were not used by law enforcement after 90 days. The prosecutor representing the state could use the funds to compensate a property owner whose property was damaged because of the law enforcement agency's pursuit.
The bill would take effect September 1, 2013.