

## **BILL ANALYSIS**

Senate Research Center

H.B. 3422  
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Engrossed

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

Current law entitles a law enforcement agency to reimbursement from the proceeds of the sale of an abandoned motor vehicle, watercraft, or outboard motor for certain costs incurred from taking the vehicle into custody and auctioning the vehicle.

A county law enforcement agency is authorized to use certain excess funds received from the sale of a motor vehicle abandoned as a result of a vehicular pursuit involving the agency after deducting the reimbursement to compensate property owners whose property was damaged as a result of the pursuit.

Additionally, before a law enforcement agency may provide such compensation, the proposed payment must be submitted to the county commissioners court for consideration.

H.B. 3422 amends current law relating to the use of auction proceeds from the sale of abandoned motor vehicles, watercraft, or outboard motors to compensate certain property owners.

### **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 Section 683.015(f), Transportation Code, as follows:

(f) Authorizes a law enforcement agency to use funds transferred under Subsection (d) (relating to authorizing a municipality or county to transfer funds in excess of \$1,000 from the account to the municipality's or county's general revenue account to be used by the law enforcement agency) to compensate property owners whose property was damaged as a result of a pursuit involving the law enforcement agency, regardless of whether the agency would be liable under Chapter 101 (Tort Claims), Civil Practice and Remedies Code. Deletes existing text authorizing a county law enforcement agency to use funds received from the sale of a motor vehicle abandoned as a result of a vehicular pursuit involving the law enforcement agency and transferred under Subsection (d) to compensate property owners whose property was damaged as a result of the pursuit, regardless of whether the agency would be liable under Chapter 101, Civil Practice and Remedies Code. Deletes existing text prohibiting a payment for compensation under this subsection exceeding any of the following amounts: the net proceeds received from the sale of the motor vehicle abandoned as a result of the pursuit; \$1,000 per property owner, if more than one property owner's property is damaged as a result of the pursuit; or the amount of the property owner's insurance deductible.

SECTION 2. Effective date: upon passage or September 1, 2011.