

BILL ANALYSIS

Senate Research Center

H.B. 2315
By: Turner, John et al. (Huffman)
Criminal Justice
5/17/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Cities across Texas have reported a significant increase in illegal street racing events in recent years. These dangerous, organized events can result in crashes, property damage, injuries, and death. Cities have taken steps to address this problem through the enforcement of existing laws, but it is the opinion of many cities and local law enforcement officials that additional tools are needed to effectively combat street racing activities. H.B. 2315 seeks to include any property used or intended to be used in the commission of a Class A misdemeanor or felony highway racing offense among the contraband eligible for civil asset forfeiture, which would be a significant additional disincentive for those who would organize and carry out these dangerous events.

H.B. 2315 amends current law relating to the forfeiture of contraband relating to the criminal offense of racing on a highway.

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. (a) Amends Article 59.01(2), Code of Criminal Procedure, as effective until January 1, 2022, to redefine "contraband" to include property of any nature, including real, personal, tangible, or intangible, that is used or intended to be used in the commission of a Class A misdemeanor or any felony under Section 545.420 (Racing on Highway), Transportation Code, other than a Class A misdemeanor that is classified as a Class A misdemeanor based solely on conduct constituting a violation of Subsection (e)(2)(B) (relating to an offense committed while in possession of an open container) of Section 545.420.

(b) Amends Article 59.01(2), Code of Criminal Procedure, as effective on January 1, 2022, to redefine "contraband" to include property of any nature, including real, personal, tangible, or intangible, that is used or intended to be used in the commission of a Class A misdemeanor or any felony under Section 545.420, Transportation Code, other than a Class A misdemeanor that is classified as a Class A misdemeanor based solely on conduct constituting a violation of Subsection (e)(2)(B) of Section 545.420.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.