

BILL ANALYSIS

C.S.H.B. 229
By: Guillen
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, certain state agencies must report surplus and salvage property to the Texas Facilities Commission for sale or public auction. Interested parties contend that, because of the rise of transnational criminal activity along the Texas-Mexico border, many underserved communities have an increased need for surplus law enforcement vehicles and equipment. C.S.H.B. 229 seeks to improve access to certain surplus property by certain local law enforcement agencies.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 229 amends the Government Code to authorize the Texas Facilities Commission (TFC) to transfer surplus motor vehicles and other law enforcement equipment of the Department of Public Safety to a municipal or county law enforcement agency in an economically disadvantaged area of Texas at a price or for other consideration agreed to by the TFC and the agency if the TFC determines that the state's efforts to secure its international border and combat transnational crime will sufficiently benefit from the donation.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 229 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter F, Chapter 2175, Government Code, is amended by adding Section 2175.308 to read as follows:

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

Sec. 2175.308. EXCEPTION FOR DEPARTMENT OF PUBLIC SAFETY.

(a) This chapter does not apply to the disposition of surplus motor vehicles and other law enforcement equipment by the Department of Public Safety of the State of Texas under a disposition system established under Subsection (b).

(b) To protect the safety of the residents of this state, the Public Safety Commission by rule shall establish a procedure for the disposition of surplus motor vehicles and other law enforcement equipment. The disposition system must authorize the department to directly transfer the surplus property to a municipal or county law enforcement agency at a price or for other consideration agreed to by the department and the law enforcement agency.

No equivalent provision.

SECTION 1. Subchapter F, Chapter 2175, Government Code, is amended by adding Section 2175.308 to read as follows:

Sec. 2175.308. EXCEPTION FOR CERTAIN PROPERTY OF DEPARTMENT OF PUBLIC SAFETY.

Notwithstanding any conflicting provision of this chapter, if the commission determines that this state's efforts to secure this state's international border and combat transnational crime will sufficiently benefit from the donation of the surplus motor vehicles and other law enforcement equipment of the Department of Public Safety of the State of Texas to a municipal or county law enforcement agency in an economically disadvantaged area of this state, the commission may transfer the property to the agency at a price or for other consideration agreed to by the commission and the agency.

No equivalent provision.

SECTION 2. Not later than January 1, 2016, the Public Safety Commission shall adopt the rules required by Section 2175.308, Government Code, as added by this Act.

SECTION 3. This Act takes effect September 1, 2015.

SECTION 2. Same as introduced version.